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# CHAPTERS OF REMINISCENCE

A. TAYLOR INNES, LL.D.

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**CHAPTERS OF  
REMINISCENCE**



# CHAPTERS OF REMINISCENCE.

BY THE LATE

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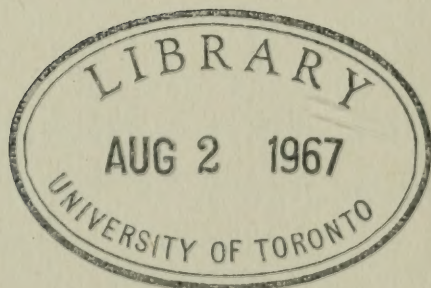


*THESE reminiscences were left in manuscript by Mr Taylor Innes at his death in January 1912. They were clearly intended to be published, but they had not received his final revision. The editors have done scarcely more than verify certain quotations and supply here and there a date or title.*

*D. O. D.*

*H. R. M.*

H/A-276



## PREFACE

THE following notes upon the last seventy years were originally prompted by my acquaintance with two eminent public men, both Scottish by origin, Mr Gladstone and Principal Rainy. Their lives have been excellently written. But there are some things on what may be called Church Politics in their time, on which, and on their relation to which, I can still give information.

Scottish Church matters were then exceedingly interesting, for they promised a future. The earlier chapters which follow may show how, amid a crowd of new ideas and interesting personalities (some of whom are noticed in passing) this Church region claimed from one average Scotsman both open-minded

study and prolonged service. The concluding pages suggest that even in the days to come the same subject may again appear to Scottish laymen attractive and hopeful.



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# BOYHOOD





## CHAPTER I

### BOYHOOD

THE heaven that lay about me in my infancy rose from Highland hills. To the north a long blue line of Sutherland mountains stretched to the Caithness Ord. The slope facing them, on a ridge of which hung our Ross-shire town,

“Set between the heather and the sea,”

was a fold of the Old Red Sandstone. But the Old Red of the Easter Ross, though it was old before the Alps were born, is very new as compared with the still more ancient mountains which curve round us to the west, and roll and tumble till they reach the Atlantic.

Tain was a meeting-place of races from

a world gone by, as well as of rocks. The population was mainly Celtic, and half my blood on both sides must have come from that source. But both Pict and Scot dwelt near that land of old. The Norsemen too had filled Caithness on the north, and much nearer us on that side of the Frith some cousins held a farm, the modern name of which was corrupted into Cyderhall, but which was originally Sigurd's Hall, for to it Sigurd the Volsung rode home on that last and fatal journey, with the tusky head of a slain enemy dangling at his saddle-bow.

A strong, four-square tower, which looks as if it had been copied from the Eschenheim Tower of Frankfort, rises in the centre of the town. A namesake of mine, Alexander Innes, was King's Bailie and held that castle for the King as far back as 1580. (He was not our progenitor; we came of the Inneses of Inverbreakie, now Invergordon, who lost every



rood of the ground which they had held from before Flodden till soon after the Restoration.) Alexander was cousin of Innes of Innes, the chief of the house of that day, who, being old and childless, gave his cousin a deed of the estate (the centre of which, Innes House, is still standing near Elgin) to pass after his death. Such arrangements do not always turn out well, and, in this case, Robert Innes, another cousin of the laird, thought he had a better claim, and wrought on the old man's mind a deep jealousy of his already chosen heir. But how were they to get back the deed once given? There is a story that the Ross-shire castellan and cousin (who had also the office of "Captain of Orkney," and the lairdship of Plaids near Tain) laid the entail upon the grass, to see if any "durst take it up." But the procedure on the other side was more straightforward still, or at least more effectual.

Alexander had a son, aged about sixteen, at college at Aberdeen ; and the lad being in bad health the father spent several nights in his lodgings in the University town. Cousin Robert, hearing of it, gathered his servants, put the old laird with him on horseback, rode into Aberdeen, and at midnight raised an outcry outside the student's lodging there. Alexander, hearing the shout, " A Gordon, a Gordon ! " came down in his shirt, opened the door and was instantly shot dead by his kinsman ; most of the company afterwards stabbing him with their dirks in token of complicity. The boy, seeing his father fall, scrambled out into the garden at the back and escaped. Robert Innes took the ring off the dead man's hand and sent it out by a servant to the wife, who did not yet know that she was a widow, demanding, by that token, that she should at once send in to her husband in Aberdeen his box of deeds and

titles ; she did so, but a young relative of the laird who was with her (also Alexander by name) had conceived some suspicion, and, following the messenger, proposed that they should ride double into Aberdeen so that he might see his cousin at the college. The man objected vehemently, and at last drew his dirk ; young Innes, twisting it out of his hand, stabbed him to the heart, tumbled him into the ditch, and rode back with the deeds to the widow, just in time to escape in safety with them and with her. Then followed clamorous appeals to the law on both sides, issuing in "letters of fire and sword" against the murderer Robert, who maintained himself, however, for years, in a secret chamber in the house of Edinglassie, till in September 1584, his equally sanguinary kinsfolk stormed his den and cut off his head. It was "carried by the widow to Edinburgh, and casten at the King's feet" ; a deed

which even the admiring biographer of the clan<sup>1</sup> confesses was "too masculine to be commended in a woman."

But the early history of the town had to do with the Church rather than the king. The roofless chapel below it marks where Duthus or Duffus, a Celtic saint of ancient days, was born. The restored church in the middle of the town shows the site to which his bones were transferred. His cult seems to have reached its height in the reign of the chivalrous James the Fourth. I have often picked out the steps of the King's Causeway, along which the monarch rode (or, according to tradition, walked barefoot) on his latest journey to the shrine from Edinburgh, just before the fatal invasion of England. When he fell beside the Till, the Earl of Ross fell with

<sup>1</sup> Duncan Forbes of Culloden's *Familie of Innes* (Spalding Club, Aberdeen, 1864). The masculine widow of the murdered laird (of Crombie and Plaids) was an Isobel Forbes.



him, clothed in St Duthus' shirt. The relic became the prey of the victor army, and a fierce North England harper shouted his triumph over the distant Highlanders and over

“Doffin, their demigod of Ross!”

And in the early half of the nineteenth century, as in the early half of the fifteenth, the religious peculiarities of my native country or district stood out as the most remarkable thing about it. Within living memory the Highlands of Scotland were filled with ideas of religion, and penetrated with a reverence for the divine, to an extent which I have nowhere else found. The phenomenon was one well deserving study, though the study cannot be undertaken here.<sup>1</sup> But some things may be recalled. It was a religion characterised by great inwardness and tenderness, both of them enveloped in a

<sup>1</sup> See “The Religion of the Highlands,” *British and Foreign Evangelical Review*, July 1872.



brooding melancholy—the same racial melancholy, no doubt, of which Matthew Arnold tells us that in *Ossian* “all Europe felt the power.” Then it had another characteristic equally widely recognised. This was the Celtic personal loyalty and its passion for leadership. The men who followed Prince Charlie must always have some one to follow, even when their chief interests had come to be in Protestant theology. And the objects of this devotion in my time were not great preachers only, but saintly souls also among private Christians widely known as The Men, and forming a Hagiology curiously parallel to that set up at the opposite pole of Christendom. And lastly, there was another important element—the keen Celtic appreciation of logic, system, and sequence. France and its literature illustrate that, but the masses in France have never been educated in theology. In Scotland they have, and

Celtic Scotland in my early time had an overweening passion for the doctrinal and deductive system of Calvinistic theology. It conceded to that system (as embodied in its subscribed and statutory creed, the Westminster Confession of Faith, and in its popular creed, The Shorter Catechism) an authority quite inconsistent with the theoretical duty of each man to draw his own doctrine from Scripture in the exercise of his private judgment. It thus weakened throughout the whole Highlands the moral independence and the mental initiative of religious men, and increased their natural and racial submissiveness. Yet in not a few cases in every parish around, this overarching of a great constructive system taught the Celtic mind to soar, and drew it upwards past all lower loyalties in direct aspiration to the infinite and divine.

But during the first ten years of my life a

crisis in the Church of Scotland brought youthful minds in the Highlands in curious contact with the early history of their country and with the older problems of Christian civilisation. That Church had always claimed a certain independence of the State which established it. But in the Assembly of 1834—six months after my birth—it began to assert a practical right to extend itself and to embody new congregations in its parochial framework, and it asserted for all its congregations at least a negative voice in the choice of their pastors. It was a most Christian claim, but not very consistent with existing statutes ; and the result was that the courts laid down a general doctrine of subjection of the Church to the State in these and all other ecclesiastical matters. The struggle lasted for some ten years ; but in May 1843, the Crown and Parliament, having resolved to enforce this legal theory, those who held

to the Church claim came out and formed the Free Church. The whole Celtic Highlands came with them, and the result was that for men born there during the last century the Scottish history most present to the imagination was—not the woes of Queen Mary, or the snapping of the White Rose in the Forty-Five but—the Puritan and religious side, and in particular the long struggle of the persecuted Cameronians.

If one wishes to have an idea of our part of Scotland he should read Hugh Miller ; not so much the geologist, or the Churchman and editor, as the son of the soil, in his *Schools and Schoolmasters*, and his *Scenes and Legends*. Miller was accountant in the Commercial Bank in Cromarty when my father had the same post in the Commercial Bank in Tain. The two places were perhaps a dozen miles distant ; and at the end of the week the two young men set out, each with



a loaded pistol in his pocket, to meet at midnight half-way on the picturesque hill of Scotsburn, and square the issue of Bank notes in the curious way then followed—the “branch” which had expended most during the week receiving, as I understand, a bundle of one pound notes from the other. Miller kept up the habit of the loaded pistol long after he had left the north, and its sudden presentment sometimes startled a friend who touched him on the shoulder on his way from midnight editorial work in Edinburgh, as it protected him from those real or imaginary risks of robbery which figure in his *First Impressions of England and its People*.

Amid these surroundings we children were intelligently brought up, our mother having much of the culture interfused with piety of the early Victorian time. The boys attended the Royal Academy at Tain; and at home, if we did not go deep into literature, I at least

attained an early and vivid appreciation of most parts of the Bible and the *Pilgrim's Progress*. The first poet, strange to say, for whom I had a passion was Milton, and it must have been chiefly for the music of his words. I cannot have been more than eight years old when I read with transport of

" That fair field  
Of Enna, where Proserpine, gathering flowers,  
Herself a fairer flower, by gloomy Dis  
Was gathered,"

and the stately procession of syllables affected me then as it does now. A year or two later I had come across *The Lay of the Last Minstrel* and the *Percy Ballads*, and walked straight into the world of romance. I must have been above the average therefore as boys go, but at school I clung to the bottom of the class, and the most obstinate wall of misery I ever confronted was the attempt to learn Latin. I used to spend hours pondering over the causes of my

predestination to such an unreasonable doom, until at last—I remember it well—the sight of the strange word “smaragdis” (in Ovid’s account of the jewelled sea-cave where Phæton’s mother dwelt with her attendant nymphs) threw the earliest ray into that oppressive darkness. I turned up the word in the dictionary, and for the first time surmised that there might be interest in a language which told good stories in such glowing words. Soon after, a new teacher, inviting us to essay-writing in English, gave the stimulus of self-education and even of a possible originality to what had been hitherto the mere school routine of the Academy.

In 1847 a Highland (*i.e.* remote) cousin of ours, Robert Gordon Balfour, then a student in Edinburgh, and this year (1904) Moderator of the Assembly of his Church,<sup>1</sup> visited us in

<sup>1</sup> And this year, July 1905, dead.

Tain, and greatly delighted my brother Campbell and me by the proposal that we, boys of twelve and fourteen, should put satchels on our shoulders and walk with him round Sutherland. We did it, enjoying to the uttermost the magnificent scenery, especially that of the Assynt hills (the most ancient buildings not made with hands in Britain), whose battlements, when seen under the setting sun, glow as if with an internal light. But R. G. B. was fresh from the philosophy classes at the University and the New College of Edinburgh, and as we walked over the shining sands from Cape Wrath to Durness one great moonlight night I made up my boyish mind quietly as to two things—that I would go to College, not as my uncles had done to Aberdeen, but to Edinburgh; and secondly, that I would there, if possible, take Sir William Hamilton's prize, though my friend held up for admiration rather the gold



medal of Professor Wilson, better known as Christopher North.

Another year passed away at home, but it was the revolutionary year of 1848, and revealed to me that there was a great world outside both school and college. My father was a Whig of 1832, but my mother, being on the other hand the daughter of a Tory lawyer, always answered my inquiries as to what was the right side of politics, with the truism so disgusting to ardent youth, that "there were good men on both sides." And so long as I could remember, the smooth course of the century, diversified by no more wars or Waterloos, had reinforced this deadly dullness on which I had fallen. But now—could it be true that the "great mutations of the world" were *not* ended? I went about the fields with a throbbing heart, as I remember doing afterwards when, on a visit to the same fields in a long subsequent

autumn, some one tapped the local telegraph wires, and brought us early news of the great surrender of Sedan. As it happened, my life was to have nothing to do with the drums and tramlings of that world outside. And yet, on another Ross-shire holiday, I had another glimpse into the same region of it.

Half-way between his baptism of fire at Saarbrück and his burial of blood in South Africa, I saw the Prince Imperial in a distant region of Scotland. It was the evening when the Empress and her son, coming round from the Skye Railway, astonished the Inverness people by passing through their capital, and going on to Boat of Garten. Apparently she had been studying Bradshaw, and was struck with the romantic name of this remote Highland station, and resolved to spend the night there. There were several gentlemen in attendance upon her and the Prince, and the dismay of the station-master when, the

train having just moved away, they turned round and demanded the hotel which was non-existent and the sleeping accommodation which his house was too small to give, was wonderful. An hour before I was at another station near Inverness, at which their train waited fully ten minutes—I waiting to go north, they coming south. The Prince, then a boy of apparently thirteen or fourteen years of age, got out with all his male friends and walked about. The Empress sat still in the carriage. I confess that my first curiosity was to catch another glimpse of that Imperial beauty which had so long presided over the splendours of Paris, and which I had observed at a distance, not there only, but during a visit to Edinburgh. The widowed Empress on that Highland tour had all her old stateliness, but when she stood up she showed like a column of black, and the light and playfulness of her earlier face were gone. I walked

to the other end of the platform and met the boy in whom all her hopes were now garnered. His countenance was familiar enough from Paris photographs, especially one in which *four* figures were presented—the Emperor and his son in the foreground from real life, and in the back the old Emperor in the dim light of death and victory, with his star floating above, and beside him his son—the beautiful and short-lived King of Rome. The face of young Louis, now actually before me, did not disappoint me. He was at the trying age between boy and man, when the youth runs to arms and legs and sharp angles ; but his face retained the remarkably honest, direct, almost *bluff* look of his boyhood. It is the look which, with our insular prejudices, we prefer in a young face to any amount of acuteness or even aspiringness ; and the frank and joyous manner in which he ran about and drank in the sublimities of our hills and the



rosy glow of a wonderful Scottish sunset comes back to me to-day painfully.

That we sent the first of the Bonaparte family to die on an African island was our own deliberate choice. That we sent the last to die on an African prairie was the *febile ludibrium* of human affairs.

THE UNIVERSITY



## CHAPTER II

### THE UNIVERSITY

ALL these things, left behind but more or less absorbed, no doubt added to the ardour with which in 1848 a boy of fifteen went up to Edinburgh, “yearning for the large excitement which the coming years might yield,”—the coming years especially of undergraduate life—solitary, but crowded with hopes and intense with anticipation. To this day I never come to the dark days of early November in Edinburgh without experiencing an unreasoning exhilaration of heart and mind, and of the very blood, which no other part of the year—not the flush of June, or the purple and gold of our Scottish September—has power to reproduce in me. And there, in



my second year of study, I came under the power of Sir William Hamilton. He was no longer "in his glorious prime, when his bodily frame was like a breathing intellect." Paralysed all down one side, he moved into his lecture-room with great difficulty. But he sat there almost the noblest figure I have seen; the massive head, aquiline face, and full dark eye, recalling both Goethe and Napoleon. His personal influence on his students, most of whom were very young, when commencing the study of philosophy, was immense. For myself, I felt as if all my previous life had been cut away with a knife on the day I entered his lecture-room; and it was years after before I could join on in imagination my despised boyhood to this amazing academic discipline. Yet Hamilton's influence was stimulus rather than pabulum; and before returning to his class for the second customary session, I, not yet seventeen years

old, had reasoned myself into the conviction (shared, I think, by most of his best pupils, including even his biographer Veitch) that his own system, and in particular that central part of it which he handed on to Mansel of Oxford, was cracked from top to bottom. His oral counsel to us, "In reading philosophy, always put yourself in an attitude of opposition to your author," we turned against him. And as among old thinkers his sympathies were with Aristotle rather than Plato, while his studies with us in modern idealism did not come down later than Kant, some of his students have always mingled a certain philosophical scepticism with their lifelong interest in philosophy.

My last day of Hamilton's class in 1851 brought me also the gold medal of Professor Wilson, then better known as Christopher North. His was the grandest figure that walked the Edinburgh streets : in his youth a

golden-haired athlete, the gold was now sprinkled with grey. As a young man he had attained some fame as a poet, and having lost all his fortune, was put up by Sir Walter Scott and the Edinburgh Conservatives for the chair of Moral Philosophy, of which he knew nothing. He had to ask one of his Lake friends, De Quincey, to write him lectures for his first year of the class. De Quincey of course consented, but of course failed, "oblivion scattering her poppy" in his mind over the whole transaction. But Wilson (as Hamilton remarked to me) had a naturally keen speculative intellect, and having been forced in this way to deal with unsuspected metaphysical problems, he faced them courageously. And, greatly to his own astonishment, his new inquiries resulted in the poet-editor of *Blackwood* finding himself forced to adopt the theory of Utilitarianism—a view which, down to this (the very last)

year of his lecturing, he presented to his students in the extreme form advocated by Bentham, disguised merely under the Greek term Eudaimonism. With the courage or folly of youth I sent him in a series of class essays suggesting a half-way theory between his own and that of English and Scotch intuitionists. And with his usual reckless generosity, Wilson told his class, on the last day on which he ever addressed them, that he was more than half disposed to adopt my view, and hoped at all events to work out the question next session. But it was not to be. Next session he was confined to his residence, under the care of his daughter and biographer, Mrs Gordon. One day, unknown to her, he sent for me. I never had such a shock as when I entered that room. The magnificent frame, which only six months before had moved like a god of Greece in our modern world, was gone. I found instead a little old



man, shrunk into an arm-chair, and pouring out unconnected questions on philosophy. Suddenly the door opened, and the broken professor, realising that his time for that kind of work was over, turned and gave me his blessing. I saw him no more, but have ever carried about with me the most affectionate recollection of that transient *gloria mundi*.

In the streets of Edinburgh the figure of Professor Wilson was succeeded by that of Professor Blackie, with less poetry, more learning, and a more calculated yet a more irrepressible eccentricity. For some years his shepherd plaid and big stick, surmounted by the keen old face and long white hair, were familiar to every Scottish town. But sometimes the Calvinistic atmosphere was too oppressive for him, and I remember his saying to Dr Whyte, "Oh, yes; I know how you will write my epitaph, 'Here lies Professor

Blackie, with every virtue except a sense of sin.' ” He himself sometimes narrated his “conversion,” but it was into a world of sunshine, where he refused to admit the presence even of sorrow. I remember he was well pleased when, at the 1887 centenary dinner of the Dialectic, I advanced the view that the main characteristic of Professor Blackie’s writings was “Wisdom—a sporadic wisdom perhaps.” He was not so prompt to endorse my other claim on the same occasion, that the hundred years which we then commemorated, having brought to us in Edinburgh the presence of Burns, Scott, and Carlyle, had made a greater contribution to our literature than all previous Scottish centuries since the world began.

It was, I think, on this occasion that Dr Kelland, the venerable Professor of Mathematics, spoke—a charming off-hand speaker, full of wit, or of that rich and racy humour

which is a better neighbour than wit itself, all suffused with a tolerant and genial benevolence. He gave an amusing account of the Oxford examinations for degrees in the old days. On the evening before, the examiners and examined dined together and discussed "fresh beef, fat venison, and thin Latin," and adjusted their questions and answers, which next day were found quite in order. But even this was less scandalous than a minute which he produced from the early days of this century of the Edinburgh Senatus. It records that seventeen candidates on one occasion appeared ; that the Senate find that one of the seventeen had not the necessary class tickets. "Therefore," the minute proceeds, "the Senate find the other sixteen qualified, and recommend them for a degree accordingly "

Inside the Edinburgh Senatus there were supposed to be great battles going on ; but

we young philosophers were apart from all that, and I remember how surprised I was, long before Blackie's time, to be brought face to face with one of them when taking my degree in 1852. The M.A. examinations lasted a week, closing on the Saturday with papers on Metaphysics and Logic, for which (having hard work to scrape through on some of the other subjects) I took the liberty of making no particular preparation. It was all very well with the Metaphysics paper; it was easy to spin an admirable answer to it from the young consciousness. But when I took up that on Logic I was aghast. I had forgot all the technicalities of *Barbara*, *Celarent*, and the rest, which should have been in my memory; so after some dismay and hesitation, I handed in the former paper, put the latter in my pocket, and went off for a walk round Arthur's Seat. It was probably the best thing to do; but by this time a week's



work had told upon my nerves. I slept not a wink that night, and made up my mind to be plucked. Next night it was worse ; for what haunted me now was the belief that in addition to losing my degree, Sir William Hamilton, who had been extraordinarily kind to me, would take the thing as a personal affront. I could not stand that, and by eleven o'clock on Monday morning I had gone and told my sad story to Sir William. I had some difficulty in making him understand me ; but when he did, he faced round with his usual air of majesty, and said these remarkable words, " Mr Innes, anything that anyone of my students can do to show his contempt for what this Senatus is pleased to call its examination, will be to me a personal favour." My ears tingled and I began dimly to remember that the Senatus and its Logic Professor were said to be upon terms so antipodally distant, that he always delayed returning his degree

examination papers till the degree had been decided, and the others always gave their Arts degree without even referring to the most distinguished Arts Professor. And so it was on this occasion. A week after, our names were published as having passed for M.A. ; and a week after that Sir William Hamilton published the list of those who had passed his own particular examination, without any mention of my having quarrelled with *Barbara*.

As it happened, I have always kept in touch with my University, down to the time when it gave me an honorary degree in a new century, and I may here anticipate some things in the Academic future. After the middle of the nineteenth we formed a Graduates' Association in Edinburgh, which supplied much of the stimulus for carrying through that statute of 1858 which gave the Scottish Universities a semi-independent constitution.

Many of us, especially on the medical side, were so far influenced by a theory ably maintained by an Aberdeen man, Dr Kilgour (as to the *jus docendi* which the degree conferred of old upon all graduates and should confer now), that they were willing to swamp the professoriate in a general freedom of "extra-mural" teaching, students being free to hear the man whom they chose, and pay him fees. It seemed to me that it was desirable to retain a professorial body, with moderate salaries supplemented by the fees of students whom the professor's energy or celebrity might attract ; but that around this central Senatus there should be in all the faculties of all the Universities (as there was then in Edinburgh in medicine) an assemblage of younger but distinguished graduates, with fees perhaps but not necessarily salaries, attendance on whom should count for graduation. Dr Struthers, afterwards Professor in

Aberdeen, took the side of absolute freedom ; but Dr George Wilson, the charming Edinburgh Professor of Technology, with most of our Arts men, held the more cautious view. Lord President Inglis, the author of the Act of 1858, told me later on that he substantially approved of our modified proposal (something like the German *Privat-docent* plan), provided the partial income for the Professoriate were first secured by salary. Long after, before the second University Act was passed in 1889, I had to look into these and other questions again, as chairman of the Business Committee of the University Council. (It was in that capacity, at the close of a long and doubtful contest by a grudgingly unanimous vote for the admission of women to graduation, that I remember rising "to welcome one half of the human race to Academical honours and duties.") But my special work during some ten years before



and after the passing of the second or 1889 Act, was bringing before the graduates in Council the same old scheme of those before them. They heartily approved, year by year ; but the government and Professoriate influenced the Bill, and still more the arrangements under it, in another direction. The result has been that while many of the improvements the graduates of Edinburgh demanded for a generation, especially as to academical options, have been successfully carried out, others have been slurred over ; and it remains to be seen whether making the Professoriate independent of the students' fees, and the strengthening of it by assistantships and lectureships under the Senatus, will in the long run be equally effective with what might have been gained by a modification of the Open Teaching of the early Universities of Europe, when a body of rising graduates surrounded each school of learning,

and kept its teaching up to the mark by their competitive genius and energy. Going back to the new University regime—but by the new regime I mean what is now an old one started in 1858—of the public men, some of them very remarkable, introduced to us by it, I shall recall only two. One of these was our first Chancellor, Lord Brougham. Familiar as his features had been to readers of books and newspapers for forty years, he himself by this time was almost forgotten; and when he came to us we found that his eloquence was gone, his energy was gone, the man was almost extinct. But he was an extinct volcano; and at one point in his long speech it blazed up. He had occasion to mention the then King of Naples, known to his subjects as Bomba. And as he did so we saw it was no exaggeration when a previous generation said that the terrible orator *gesticulated* with every feature of his face—

particularly with his eyebrows, but above all with his enormous nose. That amazing feature so writhed and contorted and brandished itself, to express the extremity of wrath and contempt permitted to the human spirit, that his innocent and youthful hearers sat appalled and fascinated by the sight.

The second occasion was a more interesting one. Carlyle I have only seen once. But it was on the day which he himself chose to regard as the culmination of his life. I had voted for him as Rector of our University, against some politician ; and on April 2, 1866, I found myself in the centre of the Music Hall of Edinburgh while he was invested with the heavy robe of the Lord Rector. He slipped it off his shoulders before rising from the chair, and now confronted the youthful audience, a figure never to be forgotten. An old man, no doubt ; but a lithe and elastic frame with a flush of occasional

colour under the high cheekbones. And even as an extempore address, delivered without notes by a man who had long abjured public speaking and praised silence, the speech was memorable. For an hour and a half the "Annandale voice" went on, without break, without hesitation, and without stiffness (but also without the "gollying" or declamation which he ascribes to it in his early London lectures)—colloquial, confidential, and paternal in its tone from beginning to end. And the scene around was significant. Sir David Brewster was in the chair, in his violet robe as Principal; for he, turned out of one Scottish University in 1843, had been received later on into Edinburgh. Tyndall and Huxley were both on the platform, representing one great movement of the century; and Erskine of Linlathen, the attractive type of another tendency of our time, sat beside them. From



platform and from hall every eye was bent upon the old man as he slowly uttered the words, " Fifty-six years ago I first entered your city a boy of not quite fourteen—to attend classes here, and gain knowledge of all kinds. I know not what. And now—" and here the deep voice hesitated and all but broke down—" and now, after a long, long course, this is what we have come to."

Carlyle was many-sided, and had no side which did not provoke criticism. One neat summing up of his historical pretensions I remember hearing in the house of my old friend, Professor Lorimer. It must have been in the end of the 'seventies that I found myself sitting there beside the author of *Ecce Homo*, and for the first half of dinner my attention was diverted from him by a face opposite us. The face, charmingly framed in lace, was that of Mrs Oliphant. It had no shadow that day

of the deep sadness which rests on her autobiography. The only expression it wore, as she gazed across at the historian, was the placid penetration appropriate to the novelist of contemporary life and character. Mr Seeley had come down to Edinburgh for the first time (I believe to lecture on Fichte), and his fair complexion and small straight features bore as yet no trace of subsequent ill-health at Cambridge. Extremely quiet in manner, he would talk only with his next neighbour. Thomas Carlyle was still alive, and the conversation touched upon many of his other characteristics before I tried to ascertain directly what Mr Seeley thought of him as a historian. It came at last. "Mr Carlyle," he said, "has always seemed to me as a historian *earnest rather than serious.*"

But these two were Academic portents and meteors; and my attempt, in recalling

student memories, to revive also the habit of thought of the time, is discouraged by one reminiscence.

I knew Lord Gifford, who left eighty thousand pounds to institute philosophico-theological lectures in the Scottish Universities, and sometimes walked down to where he resided at Granton House between Edinburgh and the sea. He had been all his life a hard-working counsel in great practice. A few weeks after he was raised to the Bench I met him somewhere at dinner, and as he walked home through the slippery streets leaning on my arm, he became confidential. He first told me of the torture it was to sit "up there," listening to young men slowly unfolding arguments the conclusion of which he had foreseen as soon as they began to speak. (Many new-made judges find it difficult to listen even decently.) Then he went deeper. "I have all my life looked

forward passionately to the last few weeks. All those years I have hoped to be set free from law, and to get back to philosophy. And now the leisure has come. I am free : and yet—and yet—” Again and again he tried to explain how he felt helpless and baffled, that when he would untie the simplest speculative knots his fingers seemed thumbs ; and that the universe, instead of opening to his eyes a path of endless enquiry, rose before him more like a blank wall. I have seldom known anything more pathetic : the man of over sixty seemed to have forgotten that he could not take himself up exactly as he had been at nineteen. I was overawed a little, but urged that he must give himself time, and that no prospect could be more delightful than the gradual recovery of the freshness of youthful feelings while exercising on those old studies a trained intelligence such as even his youth had not possessed. Whether my



augury was fulfilled I scarcely know ; Lord Gifford died not very long after, and the testator at least was nobly faithful to the dream of his youth.

## CHOOSING LIFE WORK



## CHAPTER III

### CHOOSING LIFE WORK

THE effect on my own future of this undergraduate course, and especially of its study of philosophy, was somewhat paradoxical. On the one hand I declined, on taking my M.A. degree in 1852, to go on to "study for the ministry" (which in my case would have been the ministry of the Free Church of Scotland). That was the only profession, and the only post-graduate study, which then required as a preliminary the full four years in Arts; and like others whose parents had enabled them to go through those four years, I felt as if I was now bound to *them*, to adopt a profession which had at the same time great attractions for myself. That, however,



would have been too shallow a solution of the question put to me at the age of nineteen. It was put by the presentation, if not for signature, certainly for provisional acceptance *en bloc*, of the Westminster Confession of Faith. Whatever else that document was, it was at least a system of the universe ; and whatever else my dip into philosophy had taught, it at least did not suffer me to accept a system of the universe implicitly and on the authority of men—whether men around me, or men who had gone before. Hamilton's philosophy was in its intention positive and constructive, and (apart from a tendency of part of its construction to crumble in our hands), it rather seemed to underbuild belief. But like all philosophy worthy of the name, its first word was an exhortation to us to think for ourselves. And that first word swept down upon many in Scotland (so I put it some five years later) as a "blast of

analysis, which stripped off from us all our old notions and prejudices, like leaves from the trees in autumn." My own case was perhaps more typical than that of some around me. For I had no quarrel, as they had, with any particular one of the doctrines of the Confession. Nor had I at all made up my mind that the whole system of that document might not, after full enquiry, turn out to be the Christian system, and so the system of the universe. And yet, after some struggle, I came to the resolve that it was impossible for me to commence a second or theological course of four years, by the practical acceptance of a document containing many hundred theological propositions, the falsehood of any one of which would make it impossible for me, as an honest man, to give to that document, at the close of the four years, the subscription required. Nor did it make it easier that the document which contained so many

particular pitfalls for sincerity, seemed to contain also ready-made a system of universal truth, such as I had come to look forward to as the final and distant goal of the speculative intelligence.

Looking back, I do not consider my decision on this occasion as entitled to praise. I am sure that if I had at this time possessed a sense of the moral needs of myself and other men, and of the practical aspects of religion (such even as came to me a year or two later), I should have judged the Puritan creed with a juster sense of the proportions of things in it which are great and central, as distinguished from points of theological detail ; and that my whole attitude, in becoming more tender, would have become also more true. At the same time I have never been certain that any such change would have led, or should have led, to a different practical conclusion. And at all events, the immediate though perhaps

paradoxical result of rejection of "the Church" as a profession, and my liberation from the pressure, real or imagined, of the confessional collar, was an increased and warmer interest in the central objects of religious enquiry, and a closer intimacy with those of my friends who were not only, like myself, interested in these, but were devoting themselves to that Church and that profession.

The two years in which the actual transition was made were spent in my native town—a Royal Burgh of which my uncle was, and my grandfather had been, town-clerk, as my great-great-great-great-grandfather had been in the days of Oliver Cromwell. From the law-office of my relative there I was transferred to another in Edinburgh; and about the same time the friend nearest to my own age in Tain, was called away to be minister in the mountain solitudes of Brae-



mar, then beginning to be peopled by summer strangers, including Royalty on the one hand and men like James Martineau on the other. Hugh Cobban—of humble parentage, yet on his mother's side not remote in blood from the big people of the Sutherland clan—was a man of singular charm both of nature and manner, a charm to which his modesty gave the last refinement.<sup>1</sup> Shortly before his too early death in Braemar, he declined the high honour of succeeding Dr Guthrie and Dr Hanna in their congregation in Edinburgh ;

<sup>1</sup> I should like to subjoin a sentence or two as to this friend written while his loss was yet recent :—

“ His character naturally united great shrewdness with the most perfect amiability ; he had a keen insight into character which was never expressed in sarcasm, and a singular frankness and kindness towards every one he met, which was guarded by a natural dignity scarcely ever needing to be called into defensive exercise. And if ever man here below had the blessing of those meek who inherit the earth, it belonged to him whose happy natural temperament and cheerful trust in God his friends now look back upon. Through all troubles he remained the most elastic, the most cheerful, and the most genial of men, forgetting no one but himself, and serving his God with gladness and singleness of heart.”

to which place I had already gone in the year 1854, the same year in which Mr Rainy, of whom I shall have much to say later on, came there from Huntly.

My second college course was in a sense as interesting as the first. Not indeed on the side of intellectual training. I had at first some difficulty in transferring my enthusiasm from the humanities and philosophy to legal study; and it was not till "the written reason of the Roman law" enthralled me, and I plunged for the winter of 1860 into the study of the Pandects, that I emerged with a lifelong pride in the speculative and historical basis of my profession. But my second debt to the University was of another kind than this, which was largely a reawakening, in a more practical and historical form, of the old influence of Hamilton. It was the social side of Academic life that I now suddenly discovered. Formerly I was an exceedingly shy

boy, living among books ; and in the Quadrangle of the University—built on the old Kirk-of-Field site where Bothwell blew up Darnley in the fierce early days—I sought and found no acquaintances, content if, when I returned from lecture to my solitary lodgings, I found there Kant and Leibnitz, Jonathan Edwards and Benedict Spinoza. Two years only had now passed, but no longer so enslaved to those crowned and “sceptred sovrans” of thought, I found myself listening also to voices from the living world, and responding with the passion of youthful friendship. At that time there was no University Union and no representative Council of students. But those who desired to combine society and study sometimes found a sufficient outlet in the four “Associated Societies” recognised or tolerated within the walls ; as I certainly did in the oldest of them, “The Dialectic,” with its

mildly-audacious motto, *Ratio et oratio*. A dozen of us, who were still more closely linked together within that body, got grouped into a photograph on the day when my three years of membership were wound up. It hangs near me as I write in 1910 ; and while six have closed their life-work, including men like Dr Ross Taylor and Professor John Henderson of the Protestant College at Rome, six still survive, and among them are Ex-Principal Oswald Dykes of Cambridge, Ex-Principal Miller of Madras, and Dr James Wells of Glasgow. And never did three years of youth deserve Cowley's praise better than those three before 1857 :

“ We spent them not in toys or lust or wine,  
But search of deep philosophy,  
Wit, eloquence, and poesy—  
Arts which I loved, for they, my friends, were thine ! ”

Dykes was the most brilliant student, and Henderson the hardest thinker, of all University men whom I have known ; and my



intimacy with these Dumfriesshire men led on to friendship with others of their remarkable "year" at the New College. One of those others was John Laidlaw, afterwards preacher and professor. But he was in the Diagnostic, the rival society ; and I remember how our fellows encountered in the shock of one "Open Debate" not only him, but Blair Balfour and Alexander Asher, both for many years afterwards at the head of the Scottish Bar. A third in that New College class was Marcus Dods, whom I came to know intimately only after the others had drifted away, leaving him to keep that long "probationary" vigil in Newcastle and Edinburgh. It had by that time become the custom for the keener theological students to spend one of their years—generally the third—at a German University. And I remember how yet another of the same year, still living, Dr R. J. Sandeman, burst upon me on his return from

such a visit. He alone of them all seemed, with his blue eyes and fair hair, to have dipped over head and ears into Teutonism, and to have come out transformed into the very image of its rejoicing *Burschenherrlichkeit*. The custom, recognised already by the academical regulations of the Free Church, was to have important results in that body ; and I cannot but think that if Rainy had anticipated in his own course the semesters which were so common ten years later among my contemporaries, the Church development under his guidance might have been smoother and more prescient. I had myself in the meantime got rid of merely critical difficulties along with the formulae of subscription which had occasionally forced them upon me ; and looked upon Germany—and the rest of the universe—with gladness and hope. When I agreed to walk across the centre of that country with John Laidlaw in

1863, Marcus Dods sent us as parting words, "I wish you open eyes and an understanding heart." The open eyes I certainly possessed ; but it was possible to "cast a glamour" over them, if I may judge from a pencil note, made three days after leaving my native soil, which records gravely that "no people can be so good as this German people looks." But that first visit was a great time, and though we saw Berlin and Hamburg and Dresden, and in the last place made the Gallery our dwelling-place for a week, and had carried Browning's new-published *Dramatis Personae* in our pockets, I remember nothing so well as the fragrant pine-woods with the *Heideln* (*Scottice*, blaeberries) everywhere underfoot, and the fire-flies that distracted our wandering steps beside the rushing stream. And as the purple midnight darkened around us we came to some Middle-Age city like Soest, whose still standing walls once protected

sixty thousand inhabitants, but now enclose the spacious gardens in which one-sixth of the number dwell apart from the world in forgetful ease, or to some highland village like Ruhla, with half the population sitting on their doorsteps in the warm gloaming for hours after the set of sun.

For these were the days of *Wanderlust*, the days in which youth needs no other motive for the restless foot than a sudden conviction that

“ Es gibt so manche Strasse da nimmer ich marschirt,  
Es gibt so mancher Wein den ich nimmer noch probirt ! ” <sup>1</sup>

I turned now to work, and that of various kinds. In 1857 the Dialectic Society introduced me to print by publishing the Valedictory Address given that year by me as its President. Shortly afterwards I finished my law apprenticeship, and almost immediately be-

<sup>1</sup> “ There are wines I’ve never tasted, there are walks I’ve never trod.”



came partner with John Riddle Stodart, W.S. (He was one of Jane Welsh Carlyle's many old admirers, and still loyally retained her miniature on his table; and in his house I met Carlyle's brother, Doctor John, a charming old man, one of the translators of Dante, and fresh at that time from exploring the battle-fields of Lombardy). My partner's son-in-law, Professor Lorimer, taught the Philosophy of Law with great distinction and a little eccentricity in the University, and friendly converse with him may have fostered, by an *ex adverso* influence, an early tendency to philosophical radicalism, or at least to political speculation. Among my college class-fellows one of the most strikingly handsome had been Gavin Carlile--no relation, I think, to the Annandale Carlyles, but a nephew of Edward Irving. He had now become editor of a useful monthly, *News of the Churches*, of which he asked me to under-

take the reviewing department—at least so far as it was literary rather than theological. This opened to me, and privileged me to open to others, a new world of books, some transatlantic, like the works of Horace Bushnell and Henry Ward Beecher, and some nearer, like the attractive but sonorous *Quiet Hours* of John Pulsford (whose brother William was at that time a power in the Edinburgh pulpit), and the *Patience of Hope* of Dora Greenwell, my enthusiasm for which brought me the acquaintance of that authoress in the charming house of her friend and publisher or printer, Thomas Constable. Another Edinburgh publisher, Thomas Nelson, had large plans, not yet fulfilled, for expanding the Christian press of Scotland; and in the meantime I was encouraged to write occasionally in his *Family Treasury* under the editorship of an admirable Stirling man, Andrew Cameron, who termin-

ated his career in Australia. (Some men sign fugitive papers with their initials: I remember that I signed these with my *finals* R. R. S.) But a new and ultimately a larger avenue of work of this kind was suggested to me when one evening my door opened and there entered an old schoolfellow, Alexander Strahan. His father had been an early friend of Hugh Miller, and at the Tain Academy his brothers had in my recollection been the despair of the whole school by their brilliant prize-taking. Alick, the youngest of the family, was already planning the great publishing enterprises which left upon the next generation a debt of gratitude now too little acknowledged ; and his errand this evening was to ask a paper from me for the first number of a periodical to be called *Good Words*. I wrote one, and he titled it "Concerning each one's Religious History." And he did the like repeatedly during the many

years in which he invited my work (often, I thought, too generously) for that and other periodicals—above all, for the newly projected *Contemporary Review*, which became the model for the *Nineteenth Century*, and other monthly journals as inviting contributions from all sides of thought. During Mr Strahan's whole publishing period, which did so much to unite orthodoxy and thought in one onward movement, though in his several periodicals he had distinguished names as nominal editors, I never communicated with any one but himself, and his editorial decisions, like his publishing generally, seemed to me to be carried out with Napoleonic independence and audacity.

In 1862 there was a short change of scene. My father's last illness commenced, and I accepted an offer to become junior partner in a big legal firm in Glasgow, having many clients there, manufacturing, ship-building, and



land-owning. (The man whose place I took was James White, who had done very well in law, but preferred to make a fortune in chrome, and whose only son became Lord Overtoun.) Some of my friends, and among them Mr Strahan, thought this a step aside from the aspects of public life which had interested me, and would have preferred my going to the Bar. As will appear in the next chapters, it became rather a step towards pursuing those not quite "abandoned habits." But in this page I can only recall the amazing amphitheatre of natural scenery which I now entered, with Glasgow as the centre, or perhaps I should rather say the gate. Edinburgh, and the East of Scotland generally, have nothing to compare with it ; nor has the Edinburgh population ever absorbed that passion for nature which makes multitudes stream out daily and weekly from the western capital along those great green shores.

The personality that most influenced me during my Glasgow time was probably Marcus Dods, whom I had known as a student, and whose dark, slender, scholarly, and shrinking figure made a contrast with "that fine, fresh, fierce, yellow-maned young lion," Alexander Whyte, who soon followed to the West, as he was to follow him long afterwards in the New College as its Principal. I saw both attain to eminence without ever losing their friendship—a friendship which soon became *quadrilateral* by our acquisition of George Webster Thomson, afterwards of Aberdeen, most delightful of comrades and companions. For many years our "due feet never failed to walk," in the autumn holiday, over Scotland, England, or the Alps. But another clerical friend in Glasgow, Dr Charteris, of the Park Church, made a suggestion to me which had more results. He urged me to institute an inquiry into the legal constitution of the

Church of Scotland with regard to its creed. I was already pulled in another direction by speculation how the law (of any country) ought to deal with the relation of any Church (even unfettered by establishment) not only to its creed but to its traditions generally. Suddenly I saw that the two could be so far taken together, and in 1867 published a volume entitled, *The Law of Creeds in Scotland*. The then aspect of public affairs helped the book, and helped me to carry out an idea which I had thought of ever since my year at Civil Law.

In January 1870 I joined the Scottish Bar, having returned to Edinburgh a year before, and for the rest of my life the Parliament House was my daily haunt, and the spacious solitude of the Advocates' Library almost my domicile. In student days I had once spent some hours in Inner and Outer House there, much as Carlyle describes himself lifting its

curtain to look in on Pandemonium. But the only man I was then curious to see was its one survivor of any literary fame, Lord Jeffrey. There he sat with three others, who had just finished the cause before them; and as I looked on, the old man gathered up the finished papers and flung them into the fire, a few steps off, to warm his thin hands at the blaze. On the same day, I think, I heard old Duncan M'Neill (still in 1870 the head of the Court, though he had been Lord Advocate as far back as 1843) direct a jury to consider whether the pursuer should get any damages at all, "and if so, what coin of the realm should represent them." But his successor, John Inglis, was and looked a great judge, and was fairly enough described by a poetic brother on our Boards as "The Rhadamanthine adamantine Inglis." The poetic brother was not Robert Louis



Stevenson, the fine melancholy of whose oval face, framed in its long dark hair, looked out upon us for only a few months. But Stevenson had been much impressed by Inglis, and I am convinced that the great-unfinished torso of "Weir of Hermiston," blocked out in distant Samoa, owes many of its touches to the author's Parliament House and Glencorse recollections. Of course "Hermiston" comes chiefly from our tradition of President Braxfield, as fixed partly in Cockburn's *Memorials*, and partly in Raeburn's canvas. But the portrait of Braxfield, which now hangs on the wall of the Parliament House, while it has a good deal of Hermiston's twinkling joviality has none of his Rhadamanthine strength. To get that you have to turn round to the other wall where hangs the frowning likeness of the President of Stevenson's day, the likeness of a man who would neither bend nor break,

and who (other things being equal) would *prefer* unpopularity.

I had some practice from the time I was called to the Bar, though never so much as to make it undesirable for me to earn money, and also if possible to "pay my debt to my profession," on other sides of it. Consequently I spent many delightful hours in the Advocates' Library, founded originally by the Bloody Advocate of whose curious character (combining what he liked to describe as a "sceptical stoicism" with intolerance of the individual convictions of others) I had occasion later on to make a study. But the Library was for me a place of delightful meetings. One day soon after my call I asked the librarian for Dr Calamy's *Indictment against England*. "You won't get that book here," said a strongly Aberdeenshire voice over my shoulder. "Why?" I asked, turning and recognising John Hill Burton, the

historian. "Because," he answered, "our Keeper, Ruddiman, threw every such book out of the window as soon as it came into his hands." (Ruddiman was "Keeper" of the Library just before David Hume, and a vigorous Anti-Puritan.) On almost the same spot I met Miss Julia Bacon, the god-mother, and, I suppose, the origin of the Bacon and Shakespeare identification heresy. Her visit cannot have been without results, for the very intelligent official of the library, who introduced me to her, remained to the last an energetic partisan of the new faith.

GLADSTONE—I





## CHAPTER IV

### GLADSTONE—I

I FIRST saw Mr Gladstone in 1853. He was passing through the Highlands on his way to Dunrobin, and had come as far as Tain. My uncle, George Taylor, once a Writer to the Signet in Edinburgh, and afterwards editor of *Sharp's Magazine* in London, was, like myself, a native of that place, and had known the member for Newark well when they were both young Conservatives. One day in April 1839 William Gladstone, coming into my uncle's rooms in London, found him cutting the pages of the newly-issued *Edinburgh* to get at a paper manifestly written by Macaulay. "This concerns you," he said at once, tossing the volume across

the table to his visitor ; and Gladstone sitting down, read from end to end the famous criticism of his " Church and State," with keen appreciation on the whole, and, even at that early date, with sympathy in part. (On going home, he found, I believe, another early copy sent to himself.) Nearly twenty years had passed, and the young statesman, not quitting his hold of other things, had plunged into finance. In the week when I saw him, the whole country was ringing with his brilliant campaign on the Budget, closing an exhausting summer session. It had told upon him severely, and, looking on the sunken cheeks and bloodless face, in which the only youthful feature which survived was the blazing and restless eyes, I secretly hoped that our Highlands would be hospitable and health-bringing to a returning son. His mother, Ann Robertson, was the daughter of the provost of the neighbouring town of

Dingwall ; and long after, when attempting to explain the immense enthusiasm of Scotland for the member for Midlothian, I pointed out<sup>1</sup> that not only was the " blood in his veins exclusively Scottish," but that one half of it was Celtic.

In April 1860 we had called him down to Edinburgh as the first Rector of the University. The Spring Session and Budget of that year perhaps mark the climax of Mr Gladstone's financial fame. But the students of Edinburgh University did not forget and did not desire that the Chancellor of the Exchequer should forget, that already he had a reputation to maintain, as more than any other statesman " mediating between the moral and material interests of the age."<sup>2</sup> His inaugural address, on " The Work of Universities," pointed out, with suggestive

<sup>1</sup> *Spectator*, 6th December 1879.

<sup>2</sup> Richard Holt Hutton.



eloquence, how those institutions were themselves of old, "a great mediating power between the high and the low, between the old and the new, between speculation and practice, between authority and freedom." The subject treated was of deep interest to us, because only two years before the Scottish Universities had received from Parliament the new constitution, or, at least, the new organisation, under which Edinburgh had now for the first time elected a Rector. The organisation of teaching was already found in some faculties less elastic than the graduates desired, and one sentence in this address pointed out that the remedy, for which we had been inclined to look across the sea to the *Privat-docent* system in the Universities of Germany, might be found also by going back to earlier times. "I think there is no doubt that, in proportion as we can give a just freedom to teaching by introducing into

it the element of a wholesome competition, do we approach more closely to the primitive spirit and system of Universities." In the following year, 1861, I sent Mr Gladstone the report of an argument in which I introduced to our University Council a scheme of Open Teaching in all the faculties. And long after, when the new University Act of 1889 was being prepared, that body, which had already known the advantage of such freedom in medicine, successfully urged its legislative extension. (The Council, however, though it numbers many thousand graduates, has a consultative but not administrative voice, and in Edinburgh, as in the other Scottish Universities, the facilities thus given by Statute remain still to be used.) But the chief interest of this the first speech of Mr Gladstone in Edinburgh was not academic. We who were younger men were immensely attracted by the moral power with which,

after sketching from the standpoint of historical Christianity the mediæval origin and permanent office of Universities, he appealed direct to all the highest motives that influence the modern Scottish student. I remember the scene as if it were yesterday — the robed form, the slow, harmonious gesture, the large and lofty utterance, the stern, sad face, lit by an occasional smile, the deep eyes flashing with an internal light, and the voice—I have often heard it since, on the edge of battle and in the moment of victory, but never, I think, so fresh and rich, so full of measured and musical cadence, as on that early day.

His farewell address to the University, on the “Place of Ancient Greece in the Providential Order of the World,” was not delivered till 1865, and its theme was more distinctively Christian than the inaugural one. But even before that date, in a second visit

to Edinburgh, he again struck the note to which Scotland through his whole career sensitively responded—the praise of free institutions. On 11th January 1862 he gave three addresses there in one day, and to one of these I went along with my college friend, Dr Oswald Dykes, afterwards successor to Dr Candlish in Free St George's, for the occasion was significant. It was a meeting convened in support of the Endowment Scheme of the Episcopal Church in Scotland. Mr Gladstone, known everywhere by his book as a Churchman, was known in Scotland through his devotion to its Episcopal Church as a High Churchman, and by his book on Church and State as a defender of establishment on certain principles. But ten years at least before this date a change had passed over his relations to that body and to his own earlier views. It was undoubtedly connected with his passionate admiration of Chalmers,



and in the year 1852 he had published a Letter to the Primus, which nominally dealt with the Functions of Laymen in the Church, and urged their right to be entrusted with a share in its government. But the whole argument was founded on principles of freedom which he now applied to Churches, but which were perhaps originally learned in the school of civil right and duty. “It is a great and noble secret, that of constitutional freedom. . . . I confess my strong faith in the virtue of this principle. I have lived now for many years in the midst of the hottest and noisiest of its workshops, and have seen that amidst the clatter and the din a ceaseless labour is going on ; stubborn matter is reduced to obedience, and the brute powers of society, like the fire, air, water and minerals of nature, are, with clamour indeed, but also with might, educated and shaped into the most refined and regular forms of usefulness

for man.” And on this Mr Gladstone founded the conclusion that absolutism, whether in the Church or in the State, must be, “not necessarily a tyrannical, but a feeble and ineffective system,” and that the sooner the governed were trained to take a share in Church government the better. It was natural that Scottish Presbyterianism should feel this an approximation to its practice, in which the congregation already elects all its Church governors, one clerical and many lay, while even in the General Assembly, in which this local self-government becomes once a year central and appellate, the lay votes and the clerical are equal. It was still more natural that we should hail the Episcopalian statesman’s recognition of religious individualism, a root to which the Presbyterian system, too often departing from it in practice, is ever obliged to recur in principle. For upon this

he based the layman's right, even when addressing his bishops.

“ I understand the Reformation such as you receive it, to have re-established a most important ethical and social principle, in throwing upon each individual Christian the weighty responsibility of being, except in the case of open and palpable offences of whatever kind, his own spiritual director, and himself the sole judge of his own need for help in that kind.”

Whether the bishops, sitting on each side of the Duke of Buccleuch as we entered the meeting on that Saturday afternoon, were equally satisfied with the new position of their illustrious supporter, was more doubtful. One of them at least had made his position clear. The first face I recognised was that of Dr Wordsworth, Bishop of St Andrews, not so venerable as in later years, but already known by his persistent efforts to reconcile

and unite Scotland under the Episcopal system. The reason of the life-long failure of so sincere a controversialist had been already disclosed by himself. He was Warden of Glenalmond College (Mr Gladstone's relation to which is described in a charming letter at the close of his friend, Hope Scott's *Life*<sup>1</sup>) when Mr Gladstone's pamphlet came out in 1852. Before that year closed Dr Wordsworth had published<sup>2</sup> a "protest against the new doctrine of Religious Freedom, falsely so called, upon which the whole structure of Mr Gladstone's argument has been made to rest." But the protest discloses, that it was not so much the doctrine that was objected to as its application in urging the Church, and especially the

<sup>1</sup> *Memoirs of J. R. Hope-Scott*, by Robert Ornsby, 1884, vol. ii. Appendix III.

<sup>2</sup> *A Letter to . . . W. E. Gladstone . . . on the doctrine of "Religious Liberty" as propounded in his letter to the Bishop of Aberdeen and Primus, Oxford, 1852.*



Scottish Episcopal Church, to abandon henceforth all desire for establishment by the State. That Mr Gladstone had taken this position even in 1852,<sup>1</sup> in addition to the difference of *trend* in 1852, and that he (as a chapter in Mr Lathbury's first volume of his correspondence shows) was, for some years before and after this meeting of 1852, in violent opposition to what he calls the Bishops' "intention to commute the Scottish Liturgy for the access to English titles"—for on 3rd July following it he expresses his deep regret at having been induced by Dean Ramsay "to take so prominent and gratuitous a part at your Church Endowment meeting last winter"—and that in doing so he deliberately recommended separation from the State as the best

<sup>1</sup> Publicly then, and to his friends long before. Dr Wordsworth says he refused to vote for him at the Oxford Election of 1847, "because I anticipated from you, sooner or later, the avowal of those new doctrines to which no earthly consideration can induce me to agree."

future for the Church, certainly for Scotland, and probably for the world, no reader of his letter of that early year can doubt. "The time has been," he admits, when the state was religious and consistent in its religion. "It is not so now," and the result is that what all independent religious bodies in Scotland should desire, "is, generally, to be let alone, and specially not to be put on the bed of Procrustes." The State garment, he says afterwards, changing the metaphor, will not fit the wearer, "and if it is to be put on, as his figure cannot change to suit it, it must therefore change to suit him; must stretch here, and draggle there, and tear everywhere." In Scotland too, divided as it was into different bodies, there was, he argued, much more than the needful assurance against the Church overshadowing the State, and while "plenary religious freedom," or "freedom of conscience, impartially granted to a variety of com-

munions," is the best position for the Church itself, it is also the best security against collisions between civil and religious authority, and "it directly serves the social purposes for which States exist." And, in result, "however wary and patient we may be as to any question of moving forwards, above all, let us be careful not to move backwards!" The Bishop of St Andrews' answer had been prompt:

"You have taken upon yourself a fearful responsibility. . . . You have pronounced upon the moment when the game which has been played by all the wise and good in Church and State for so many ages must be thrown up."

My friend and I had heard the merest echoes of this internal conflict of ten years before, and his interest was chiefly in listening for the first time to the statesman who, entering after the meeting commenced, had

now monopolised its attention. "What right has this man," said Dykes to me in a critical whisper, "to speak as if he were dispensing rewards and crowns?" Mr Gladstone, even while turning to the Duke of Buccleuch and recognising his "incomparable performance" of all the duties of high station, and to Dean Ramsay, congratulating him on his enjoyment of "universal love and respect," weighed out all this praise with an emphasis so discriminating and judicial, that he seemed less to acknowledge moral rank than to confer it. I was more absorbed in observing how he treated the Church in Scotland, as he had before treated the University, as a religious and intellectual institute, calling for the practical support of its members. "The true test of civilisation," the Chancellor of the Exchequer reminded us, "has been said to be a willingness to contribute to public burdens," and he claimed



for Britain, and in Church matters for Scotland, a pre-eminence in this virtue. Oratorically, indeed, the culmination of his address was a glowing commendation to his co-religionists of the example in their own country of the Free Church of Scotland, a piece of history which at all times had a fascination for Mr Gladstone. Nor was it merely the launch of that Church into voluntaryism, on the one day when it was stripped of its whole revenues and endowments, that he now referred to. That plunge he described afterwards to Parliament, on the third reading of the Irish Church Bill, as having been "like the launch of some goodly ship, which, constructed upon the shore, makes, indeed, a great transition when it passes into the waters, but yet makes that transition without loss of its equilibrium, and when it arrives at that receptacle, glides on its bosom calmly and even majestically . . .

for to the moral attitude of the Free Church scarcely any word weaker or lower than that of majesty, would, according to the spirit of historical criticism, be justly applicable." But on this occasion it was not so much the original launch, as the continuous voluntary support, which he passionately commended—a merit which this Scottish body shares with the others outside, and to a partial extent with the one still inside, our Establishment.

Mr Gladstone parted with Oxford in 1865, and in the same year he gave his second address to Edinburgh University. The most striking passage in it was a reference to the present age as critical and formidable, because our power of putting questions in the sphere of religion runs greatly in advance of the pains taken to answer them, while what men are really called to do is to battle for the truth, and at the same time hold sacred the freedom of inquiry. I was not present at

this address, but in the following year undertook some inquiries into a subject which led up to an interesting communication with its author. I had been for years, as I have already indicated, dissatisfied with the subscription demanded by the Churches in Scotland, even from laymen, to a Confession of Faith which had been unrevised for two hundred years. I now found that my desire for this change, and a still older passion for the union of the divided branches of our Scottish Kirk, were connected by certain legal questions. It seemed worth while to make a special study of these, and in 1867 the result, published under the title of the *Law of Creeds in Scotland*, was received with more favour than it deserved—no doubt because it was then the only legal treatise on the subject. The right of a Church to change its creed is a question whose interest is not limited by geographical boundaries, and Mr

Gladstone's acknowledgment of the volume, like a notice of it about the same time by Montague Barnard of Oxford, was at least appreciative of the difficulty of the subject. He was at that time working on during the last languid months of Lord Palmerston's leadership. But before a year had passed there was a change which sent a shock of life through the body politic. Mr Gladstone had leaped to the front, and the Liberal party had closed its ranks around a long delayed act of justice—the Disestablishment of the Irish Church. In May 1868 he had already introduced his suspensory Resolutions, and carried the first vote. It was plain that sooner or later he would have to propose a Bill, and the fate of his whole policy was supposed to depend on how that Bill should be conceived. One expectation I found to be shared alike by those who opposed and those who supported it. All assumed that in plan-



ning to disestablish the Protestant Episcopal Church, Mr Gladstone would propose to leave it or give it certain revenues and life-interests, and in order to do so would give it a Parliamentary constitution. The expectation was a most natural one from the English point of view. I found any English friends whom I met unable even to understand the objections which I entertained to it. So, resolving to go to headquarters at once, I sat down and wrote Mr Gladstone a long letter. It pointed out that we, in our little country of Scotland, had experiences on this matter from which it was lawful to learn, and urged that for Parliament to become responsible for the constitution of the disestablished Church would entail upon both parties to the bargain most of the disadvantages of establishment, without retaining the gain. I had a prompt but laconic answer from Mr Gladstone, asking me to call for him if I happened to be in

London, and in a few days I found myself there.

My visit to Mr Gladstone on 20th May 1868 was preceded by an almost equally interesting one to Dean Stanley on the same forenoon. The Dean had been greatly attracted to a book, which professed to demonstrate that the most abstract points of theology might become legitimate matters of discussion in the courts of law, and in a Zion College address a few days before he had instanced my argument as favourable to the English Royal or Parliamentary supremacy over the Church. My thanks to him were thus naturally followed by a few explanations, for Dr Stanley's ceaseless interest in the Church and State questions had been brought to a crisis by the aspect of politics. "People in London tell me," he said, "that the stream is everywhere flowing against me. But you are a stranger.

What do you say ? ” “ I don't agree with the people in London,” I replied. “ I think there is also a counter stream. But you, Mr Dean, are very much the centre of it.” Dr Stanley did not reject my view that the old connection of Church and State, if it was to be continued in modern constitutional times, required such theories as his to buttress it. But he was eager in his inquiries as to what chance I thought those theories would have in Scotland. Everything he wrote, I told him, would find many admirers among us, and there were some able men in Scotland who would accept them all the more because of their practical drift. But the laity, even of our Established Church, would, I thought, be irreconcilably opposed to making Parliament (even if it were not a foreign Parliament) the legislature of their Church. All information of this kind, even when un-

welcome in its nature, Stanley received with the glowing courtesy which never left him ; and before I took my leave he had explained to me that on the pressing question of Ireland he intended to urge the solution of a concurrent endowment with the Catholic Church. This at last reminded me that I had yet to see the man whose undisclosed plans for that country were the secret of the hour. On arriving at Carlton House Terrace I found it as crowded as the house of an expectant Prime Minister is apt to be. Yet the moment he heard my name, Mr Gladstone, not saying a word about Ireland, plunged with animation into the subject of the book he had received a year ago. Before a quarter of an hour passed, I found with astonishment, that on the difficult question with which it dealt—the legal “limits of deviation” of churches—no one in Scotland, whether lawyer or divine, and



no one whom I knew in England, had so much knowledge and so much sympathy. He was quite aware that such questions must sometimes necessarily come before the courts. He had followed in his youth the Parliamentary debates and legal decisions connected with the great case of Lady Hewley's Charity ; and it was (I fear) in reference to a certain Vice-Chancellor that he now let fall the remark, that "a lawyer who knows nothing about theology is a very poor creature." Still, while lawyers must sometimes judge of theology, with a view to deciding their own civil questions, he was not disposed to admire their operations in this kind, or to extend their scope. And some illustrations which I was able to give from opinions of the Scottish bench, both on Episcopalian and Presbyterian questions, excited in him such contemptuous indignation that I was

glad as a patriot to point out that they seemed to be founded on a principle recently borrowed by our Scottish judges from English law.<sup>1</sup> The tendency of that profession everywhere, is of course, to lay undue stress on existing formulas, and to ignore the vague but often fundamental right to alter these. And the view on the opposite side Mr Gladstone now proceeded to sum up, in words which seemed to me to have a curious reference to the speaker as well as to his theme. "The truth is, Mr Innes, law will never be right, till it makes a distinction between a man's principles and his opinions."

During the whole of this first talk, as on later occasions which I shall not describe,

<sup>1</sup> The borrower suggested was Lord Eldon, sitting as a Scottish judge in the Court of Appeal from 1800 to 1820. It was not till 1904 that the same Court (the House of Lords) gave the guarded freedom expressed in the Rubric of that year's report.

Mr Gladstone was pacing through his room, sometimes with a tiger-like rapidity ; flashing out questions, splitting up answers, wrestling with difficulties, retorting objections, pouring forth illustrations, and flooding all with luminous commentary. I have known other brilliant and powerful talkers,<sup>1</sup> but never any man who so overpaid the smallest contribution of suggestion or fact with such a wealth of principle. Even when, as sometimes happened, he refrained from expressing any conclusion on what was stated to him, those marvellous eyes revealed that the whole man was instantaneously at work upon it. You never felt as if you were merely piling up something upon the cold masses of information

<sup>1</sup> I remember especially two hours in Holman Hunt's studio, on an afternoon when he lent me two of his grand Sanhedrim heads for a little book on the Trial of Christ. But the great painter's talk was an unbroken river of monologue.

already lying in his mind. You rather seemed to be tossing a lump of fuel into a glowing intelligence by which those enormous masses had been long ago fused and fashioned, and by whose fervid energy this addition also was now instantaneously seized and assimilated, even before the lips had power to reply. On this occasion more than half an hour had passed, and the door now opening a second time to announce that some other had been waiting, I again turned to go. In doing so I said, "Mr Gladstone, you have been very kind. But you have not said one word on the matter as to which you invited me to call." "What was that?" "The question of Parliament giving a constitution to the Irish Church." "Oh," he said, tossing his head, "you in Scotland need have no fears on that head. So long as I have any influence with Parliament, Parliament shall never lay a finger



on the constitution of the Irish Church, or of any other Church. It has no right to do so. It has a right to dispose of its own funds and revenues; and if it is not satisfied with the constitution which the Irish Church may give itself, there may be a question as to its handing over funds to it when disestablished. But with my consent the Parliament of England shall never lay its hands on the constitution of any Church." I hastened to express my complete satisfaction, and he was mentioning confidentially to me a book where I might get an idea of the process by which the Irish Church could "give itself a constitution," when the door opened for the third time. It was Mrs Gladstone with the gentleman whose more important audience had been too long delayed on that critical day—for it was the day of the second debate on the Irish Resolutions. I listened

to it that evening under the gallery, but in the meantime had searched the legal libraries of London in vain for the American book,<sup>1</sup> which had recorded the constitution-making of the Episcopal Church in America when that Church had lost its head in England, and which thus gave Mr Gladstone a hint for his Irish Bill of 1869.

On coming to Edinburgh, however, I at once stumbled on it there, Dean Ramsay having ordered a number of copies some years before. When, next year, after the General Election, Mr Gladstone brought in his Irish Church Bill, the general voice declared that its success was assured by the extraordinary lucidity of its arrangement and workableness of its machinery. The machinery was derived from the American model, altered into a less democratic and

<sup>1</sup> *The Law of the Protestant Episcopal Church in the United States*, by Murray Hoffman, Esq., New York, 1850.

more strongly Episcopal form. But the clearness of arrangement was in my view, and in that of most Scotchmen, dependent on that grasp of underlying principle which claimed for the autonomous Church the whole complex functions properly belonging to her (including that of framing and modifying her constitution), while it vindicated for Parliament its power over the equally intricate region of property and revenues in which Parliament is of right supreme.

At no time of Mr Gladstone's life has there been such an outcry against him on the ground of sudden tergiversation as in 1868. His Chapter of Autobiography,<sup>1</sup> then written to meet this, was of great interest, not only as a declaration that so far back as 1844 he had resigned office in order to be free on the very question of Church and State, and had ever since kept himself free,

<sup>1</sup> *Contemporary Review*, November 1870.

but as a statement of political reasons for his new course. But it was curiously imperfect alike on the autobiographic and the apologetic side. It gave no evidence as to the progressive advance of his views during the interval of twenty-five years since his early book. And it was still supposed by many that the reasons advanced in support of his recent measure had been suddenly attained by a process of enthusiastic self-persuasion. It was an active political imagination, men said, which found itself towards the close of Lord Palmerston's life shut up in a dead monotony, and which had only then formed for itself a question of world-wide interest, new horizons, new convictions, and new duties. That this was demonstrably false could be shown from the old pamphlet of 1852, which he had ignored, but the interest of which went far beyond this argument. Accordingly in a



paper on "Mr Gladstone in Transition," I attempted an analysis of his views and opinions as they had been published eighteen years before. He wrote me that he "set great store" by this as a vindication, and the reason why his *Apologia* of two years back had omitted all reference to the document of 1852 was, I had now no doubt, that if disinterred at the time of the Election, it would have done far more than merely prove his consistency as to the Irish Church. It would have endangered the majority he sought by raising the further question, whether his views did not point to a similar process, when the proper time should come, for the Churches of Scotland and England. What that time ought to be, was hidden under the rooted and life-long opportunism of the statesman. But that the time must come was implied in those now long recorded convictions of the man, and the revelation

of the process of attaining these I found to be intensely interesting among others, to that very able critic who, under the name of Henry Holbeach, had already dissected the convictions and the methods of some of Mr Gladstone's greatest contemporaries. It was plain at least, he and others held, that the earlier publication was the more biographical one. The brochure of 1868, addressed by Mr Gladstone to electors from an English point of view, was rather external. But the earlier one of 1852, written at Fasque to the Scottish bishops, revealed the internal process and development of his convictions. Strange to say, that process of conviction, crushed in Mr Gladstone's case into a few years, turned out to be parallel with a characteristic development of Scottish Liberalism during the course of three centuries. And this was no doubt one reason, unknown to most of us, why

Scotland was coming to regard this statesman with a sympathy and confidence which it has scarcely given to any other in its whole history.

Hitherto I have suggested the special interest which Scotland took in Mr Gladstone, as a statesman rising into power. From this point, when he became for the first time Prime Minister, I shall have something to say of the interest which he on his side now took in Scotland.

It was upon a Church question that he came into office, and the Church question in Scotland had now come into a position which, by the admission of all, called for statesmanship. Since the Disruption of 1843, the first movement to union was that of the Free Church and United Presbyterian Church, whose negotiations commenced in 1863. These had led to a large amount of theoretical agreement, and to a more

important practical unity of working, in public affairs. Through it all, however, I entertained an opinion, which I now published,<sup>1</sup> that the union then contemplated would be unsatisfactory because one-sided, and that the conscience of the country would not be satisfied without at least an attempt to heal the wound between the two Presbyterian bodies divided in 1843. A private correspondence next year (1869) seemed to show me that there were leading men in the Scottish establishment willing to enter into unfettered conference—a conference, that is, which should keep open to discussion the duty alleged on the one side of leaving establishment, and that alleged on the other of returning to it.<sup>2</sup> The

<sup>1</sup> See *Studies in Scottish History*, pp. 201 ff.: "Reconstruction urged upon Free Churchmen in 1868."

<sup>2</sup> Such an open conference has since been offered by one of the General Assemblies and accepted by the other (1909).



whole matter was brought up to Mr Gladstone on 18th June 1869 in the fairest possible way by an Established Church General Assembly Deputation on Patronage, a movement the first step in which had been taken in 1866. Dr Norman Macleod, the Moderator, assured the Prime Minister, in answer to his questions, that the authors of the proposal had in view the reconciliation of the Free Church, an aspect of the question on which silence had hitherto been preserved. Mr Gladstone's comments directed their attention only to fairness in respect of the resulting question of endowments and temporalities, but the effect of the interview in Scotland was an impulse to the whole ideas of religious equality and Church freedom. Those ideas had even then many friends among the laity of the Church of Scotland, and during the next few years it was quite uncertain whether

its Patronage Committee and Assembly might not call the Free Church into consultation as a party equally interested.<sup>1</sup>

<sup>1</sup> This was a question which I knew a good deal about through Dr Charteris, whose friendship I had begun to enjoy in Glasgow. He had, indeed, been more than any other the instigator, while we resided there, of my studies and book on Church Law, and the sharp difference of resulting opinion between us as to establishment never impaired our friendship, or lessened my admiration of his patriotism in the matter of Church union. After the Assembly of 1869 he wrote me four letters from Tübingen, which, beginning with sharp remonstrance, came round not only to animated anticipation, but to the unfolding of a whole scheme of union based on patronage-abolition. Up to this point I had treated his communications, oral and written, as rather confidential. But his injunction to "tell your friends these things" and to assure them that the reforming party in his Church were in earnest, made me bring the whole matter to Rainy, as perhaps I should have done earlier. He discussed it with Dr Buchanan,\* and both waited with interest for the next General Assembly. But nothing came of it. The crisis happened at a great meeting of a Committee of the Established Assembly, where the proposal to consult the Free Church before going on to Parliament was the subject of debate. The maintainers of Patronage had now surrendered, and were willing to make a unanimous application to Parliament. But consultation, before or after that with the Free Church was another affair. And I gathered—not from one source alone—that it was Principal

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\* See Rainy's letter in his *Life*, i. 264.

But others besides Mr Gladstone had now seen the significance of the point to which Scotland had arrived in a world-wide controversy ; and Dean Stanley came down to Edinburgh in January 1872 to lecture on the past history of the Kirk, with a view to the making of its future history. The Dean's own theory favoured the subjection of the Church and all Church matters to Parliament, coupled with the broadest concurrent endowment ; and a view so opposed to our history, underlying all the wisdom and wit and kindliness of his treatment of it, at once called forth a representative champion of that history in Principal Rainy. As a listener to the Dean I was

Tulloch, always a convinced State-Churchman, and at this time the most potent voice in his Church, who stemmed the rising tide, and not only opposed the proposed conference in committee, but threatened, if it were carried, to divide also the General Assembly. In any case I have never seen my friend Charteris in such a state of deep depression as when it was now resolved to go to Parliament for the one Church alone.

naturally more struck by a special point—how his general Church and State view led him to recommend something like the unearnest orthodoxy, which in our last century took the name of Moderatism, and which inculcated acquiescence in the statutory creed, while cherishing with regard to it a certain distaste or even disbelief. I sent Mr Gladstone a criticism of the Dean's lectures, which endeavoured on other matters to do justice to his mild light that "shines but never burns, and leaves no scar upon any human heart," but which on this particular Scottish argument grew into passionate protest.<sup>1</sup> Mr Gladstone's answer, on 10th March 1872, commenced with an interesting definition of his own standpoint on the questions now to be raised.

"Though far from being on the side of

<sup>1</sup> "Dean Stanley in Edinburgh." *Contemporary Review*, March, 1872.



Scottish Presbyterianism as against the ancient constitution and succession of the Christian Society which is the salt of the earth, I have all my life been with it as against the Erastian system. Much as I have appreciated former writings of yours I do not remember to have read any of them with warmer sympathy and admiration than this article, the spirit of which is beyond all praise, and the aim such as to present a noble object for earnest, if distant, imitation."

This letter, sent open to the publisher<sup>1</sup> and apparently intended for publication, I judged too fervid and flattering to be printed at the time; and I record it now, because

<sup>1</sup> In the first issue of Mr Lathbury's "Correspondence" of Mr Gladstone it is printed, by the mistake of a copyist, as addressed to "the publisher" (vol. i., p. 168). He was my dear old friend and townsman Alexander Strahan, who, as the originator and controller of such publications as the *Contemporary Review* and *Good Words*, gave an extraordinary and most healthful impulse to the thought and life of the later half of the century. Mr Strahan wrote at once correcting the mistake, previously "spotted" by Sir W. Robertson Nicoll.

it not only fixed for me Mr Gladstone's personal whereabouts in Church matters, but seemed to authorise my recognition for the future of a certain common "aim" in the statesman. One result of this was that on all the occasions on which I waited upon him during the remainder of his term of office, I had to answer practical questions as to the critical state of matters in Scotland. It was an honour; but one which occasionally required not only fidelity, but some firmness and resolution. It has often been said that Mr Gladstone's governments, and in particular this one of 1869-1874, suffered from the unwillingness of his lieutenants and whips to communicate to him intelligence which was unpleasing. How this may have been I do not know, but it was about the close of this period that I had occasion to find that giving information, even in an unofficial and casual

way, had its difficulties. By this time the Patronage Committee of the Church of Scotland had made up its mind, after considerable hesitation, not to call in the Free Church as a party in the proposed change. The result was great irritation in Scotland, and a sense that such a measure, if carried, could only lead to further questions. In this the Prime Minister fully sympathised. A year before, on 17th April 1872, he said to me, "It raises the whole Church and State question. They come for a new Charter; and the proposed arrangement is monstrous injustice. If the Free Church acquiesces in that, it will acquiesce in anything." I had then explained to him my belief that the Free Church, though it might occasionally pass a resolution bearing on the moral or Church side of politics, would not turn itself into a political agency, least of all for the sake of winning back the endowments with

which it had parted in 1843. "I see ; it does them great honour ;" was his reply, and I urged that what Scotland needed on this question was that the whole matter should be kept open and kept before it as a political education. Mr Gladstone had seemed satisfied, but more than a year had now passed, and the impetuous and clear-sighted statesman had run on to the practical conclusion. "Is Scotland now ready for Disestablishment ?" were almost the first words he said as I entered his room. I hesitated, and he rapidly and scornfully ran over a dozen of considerations, all tending to show that this was the only honourable result for the Scottish Church or people. On this point I had come to be thoroughly of the same opinion, and by way of preface to the unpalatable statement I had to make, I told him so, and told him also—what was of more importance—that our coming



leader, Dr Rainy had avowed that in his private view it was the true solution. But I went on to add that while these considerations were beginning to converge and to press on the conscience of Scotland, they would require more time to do their work. No section of the people in my view was prepared for sudden action. Part of the Liberal press had become on this point rather reactionary, and in the Free Church, which as the central and intermediate Presbyterian body offered the best test of the drift of the others, there was a good deal of unintelligent wavering. The Highlands in particular, which presented the strongest case for Disestablishment, and which later on voted for it by huge majorities, were in the meantime hanging back. Long before I had ceased speaking, he was pacing through the room—flashing eye, white cheek, and tightly compressed lips, all

testifying to the pent up storm within. I rose and stood, resolving that the last words I might have the opportunity of addressing to a great public man should not betray either his interests or those of Scotland. Acknowledging that my countrymen were slow in seeing their future path, I submitted that men who, whether now within or without the establishment, had only recently begun to emerge from its ancient prejudice were entitled as a matter of expediency, perhaps even as a matter of right, to a longer time of preparation. Mr Gladstone answered not a syllable. He walked three times across the room, and suddenly turning, addressed me on another subject altogether. But he did so with a deliberate and intentional courtesy which left me nothing to desire as I took my leave, glad for once to see his face no more. On returning to Edinburgh, I at once reported

the whole conversation to Dr Rainy, who rather regretted that I had turned aside Mr Gladstone's enthusiasm. But he did not dissent from the view I had presented ; and as a member of the Liberal party I felt that I had a duty to its leader as well as to my Church. Mr Gladstone's government was already experiencing the unpopularity which precedes the close of a protracted administration, and when, soon after, its appeal to the country in 1874 failed, I was glad that it had not been thrown out by falling upon a Scottish stumbling-block. Mr Gladstone now retired, not only from office, but from attendance in Parliament.

But in Scotland events hurried on. The long talked-of Anti-Patronage Bill was at once introduced into Parliament, and Dr Rainy, who in 1872 had been appointed Convener of a Committee of Assembly to watch over the movement, for the first

time put himself in communication with Mr Gladstone. But this was two months after I had, with some quaking, faced the statesman again in London on the subject, and found him determined (as he believed) to keep out of all political controversies, "especially politico-ecclesiastical." It was hard work to get him to look at the matter at all. I told him frankly that I thought we in Scotland had no claim upon him, unless he counted it a claim that he had seen us in his youth make great sacrifices for a great cause—sacrifices which, unless we were prepared to betray that cause, we were now called upon to repeat. I urged also, what he knew well, that there was no other in the present Parliament, even among the members for Scotland, capable of presenting that cause adequately or worthily. It seemed in vain; for not till after Mr Gladstone had twice over re-



fused to take up the matter did he consent—and even then his consent was only to peruse documents which might be given him. Thereupon Dr Rainy,<sup>1</sup> before the meeting of Assembly, resolved to write him unofficially on one aspect of the Bill (which I had mentioned among others, but which now seemed more pressing); and in summer there came from Hawarden a request for the documents. They were sent, but no one knew what Gladstone had resolved to do, until on 6th July the *Times* announced that Mr Gladstone was coming up to London that evening to support the second reading of the Anti-Patronage Bill. What he did was to second Mr Baxter's motion for further enquiry before legislation, and his speech for justice all round (and not merely to the body already exclusively favoured), produced an instan-

<sup>1</sup> See correspondence in Dr Rainy's *Life*, i. 269.

taneously good impression, and made the passing of the Bill a gain to Scotland rather than a loss.

The statesman who had been so desirous to keep out of politico-ecclesiastical controversies now plunged, first, into his Resolutions as to the English Church and the proposed Bill for its regulation, an effort not nearly so effective in England as his short speech on the Patronage matter was for Scotland; and, secondly, into Vaticanism, and the recent substitution in the Catholic Church of a central despotism for a constitutional monarchy. But before taking up this last, he had resigned the leadership of the Liberal party, now in opposition, and the late Duke of Devonshire, then Lord Hartington, was elected his successor. The new leader came down to Scotland, and his statement in Edinburgh on 6th November 1877, that the Patronage

Act was a "step in the direction of Dis-establishment," and that the Liberal party would deal with the question so raised on its merits, "when, if ever, Scotch opinion, or even Scotch Liberal opinion, is fully formed," caused a sensation. The form of the statement, and perhaps its time, may have had something to do with a letter I wrote four days before to Mr Adam, the Liberal whip. But Mr Gladstone must have substantially inspired it; and a few weeks after, on December 2nd, the latter wrote me from Hawarden as to the Scottish Churches:

"I think the future course of the question is in the hands of the Scottish Liberals and Nonconformists, and that if they are tolerably united it will march. There is not a crying grievance, but there is a total want of positive case."

The last sentence was repeated almost

verbally by Lord Hartington in the year following to a deputation as his verdict on the case for and against establishment in Scotland. The occasion was three several motions proposing a commission on the Scottish Church case, all brought forward by Scottish members of Parliament on the evening of 18th June 1878. A letter to which the *Times* of that morning gave some prominence indicated my own view of the situation. Dr Rainy, however (who by the death of Dr Candlish in 1873 and of Dr Buchanan in 1874 had been left the sole leader of the Free Church), was desirous that I should also see Mr Gladstone on the matter, and in the evening I arrested the hurried steps of the latter as he crossed the Lobby of the House. But the smile with which Mr Gladstone at once said, "I think you may trust me, Mr Innes," closed my lips; and certainly his admirable speech



that evening showed no need of additional information and no lack of sympathetic insight. The three motions came to nothing, Mr Gladstone pointing out that the organs with which the constitution provided the Scottish people were sufficient to declare their desires.

Later in the same year, 1878, I again met Mr Gladstone in the Lobby. But on this occasion, the moment he recognised me he drew me away to a quieter spot, which turned out to be the corridor of the House of Lords, deserted at that hour. There under the wall-paintings which record the struggles of the English historic past, he made a proposal, not to me but to my friends in Scotland—the last time, I think, on which I really acted as intermediary between them. Mr Gladstone no longer disguised from himself that he was coming back into politics ; even a year before, a

letter to me showed that his interest was equally divided between Scotland and Bulgaria. As usual he was eager for immediate action. At that moment the question of religious census was in the air, and what had occurred to him was whether a Church census for Scotland, supplemented by statistics of Church membership and Church attendance, might not give him the required mandate. The recent bye-elections, he pointed out, had been favourable to Liberalism, and in the event of our agreeing to the census proposal, he was prepared himself to bring it forward (whether before or after the approaching General Election I do not now remember). Of course I brought the statesman's proposal straight north, and in the first instance to Dr Rainy. It struck him, as it had done me, as unusual in form ; but he was disposed to think it might be got to work. Appar-

ently none of us was alarmed by the idea that we might turn out on the figures to be somewhat fewer, numerically, than our friends nominally within establishment. That, in our view, would leave the question of expediency very much as it was before. The objection was a more abstract one, and stated by some of our strongest Voluntaries (almost certainly in the words of Dr Hutton), it was that "this was a question not of numbers, but of principle," and that no enquiry should be entered into which would throw doubt on that fact. A later day was fixed for the settlement of the matter in Edinburgh (chiefly between the members of the Disestablishment Association and the Scottish Liberation Society); and in the meantime I was to write Mr Gladstone explaining the delay. I have no note of what I wrote him, and in any case should not think it worth pub-

lishing ; but I give Mr Gladstone's answer in full.

HAWARDEN, *Nov.* 1, 1878.

*" Private.*

" DEAR MR TAYLOR INNES,—I embrace generally the views and spirit of your letter.

" I admit that the personal declarations of adhesion would present an imperfect return. But would not this be made up by a parallel account of church-going ?

" The abstract doctrine of the sin of numeration true in the old Testament, will surely not hold for us.

" Are numbers or are they not relevant and legitimate matter in the debate ? Who will exclude them ? If they are not to be excluded, and are to be discussed, how is it possible to deny that they ought to be discussed in the light of full and authentic information, and not merely with a parcel of statements over which everybody is squab-



bling? If the twofold method, which I have named, is not fairly poised, surely some fuller means of rectifying the balance can be found.

"I do not pretend to judge for others, but I am sure that I write with impartiality.

"In the Scotch case, which is alone alive, it is a serious matter to throw overboard the whole of those who will refuse to adopt the abstract doctrine of Disestablishment, but who do not desire to urge the maintenance of an Establishment for the minority.

"And let not men complain of the Liberal Leaders, for, in this important matter, Lord Hartington has *led*.

"Though I mark this note 'private,' I by no means wish to confine it to your own eye.—Most faithfully yours,

"W. E. GLADSTONE."

This letter, though never made public, was by no means "confined to my own eye."

But it failed. The views of the Disestablishment Association people, who included men like Principal Cairns as well as Dr Rainy, would probably have prevailed as to Scottish action. But on the day of decision (about 1st December 1868) Dr Hutton and the Liberation Society were reinforced by Mr Carvell Williams, who came North as representing the English Nonconformists. They were naturally more opposed than we in Scotland to the idea of numeration, and since the Education Bill of 1870 they had far less sympathy with Mr Gladstone than we had. I urged, I remember, that once this question was started as the statesman wished, it would, like every question of justice, draw into itself many other things; in particular (as was afterwards, when the matter became political, abundantly proved to be true), that great masses of men within the Scottish

Establishment would accept—and accept ardently—what was fair and right for others as well as for themselves. Still, the initial step proposed was strongly resisted; State returns as to accommodation and attendance, it was said, were all right, but returns as to religious profession were a bad precedent; and in the end Dr Rainy came to be convinced that to press the thing farther would make too serious a division in our own ranks. Mr Gladstone was informed of the result on or about the 2nd December; and though before that month was ended Mr Duncan Maclaren, M.P., the leading Voluntary in Scotland, had asked and obtained returns of both the communicants and adherents in the Scottish Establishment, the statesman now returning into the political field kept apart from the matter.

I have given this incident more in detail because it is omitted in the *Lives* of both

Mr Gladstone and Dr Rainy, no doubt as having been a mere suggestion with no apparent results. There were indeed no positive results. But from this time I have come to date the cessation of Mr Gladstone's personal interest—his personal enthusiasm indeed—on the side of Scottish Free Churchism.<sup>1</sup> His next letter to me was only two months later, 5th February 1879. But though it commences with the words—

“ I have received your letter. It is considerate throughout, like every letter I have ever received from you ”—

and goes on to talk very confidentially of

<sup>1</sup> I said so, I remember to Principal Rainy when, five days before his last departure for Australia, we together went over many years of his correspondence before and after this year 1878. That year seemed to me now to be the last when we could have counted on getting a statesman who always “ moved altogether if he moved at all,” to throw himself into our Scottish Church question. Dr Rainy did not seem to disagree on that point of my retrospect.



the threatened withdrawal from him of some supporters of the Scottish Establishment, it ends with the statement that—

“On this subject especially, I am of opinion that my Parliamentary and public declarations require, and indeed admit of, no addition in the present state of the facts.”

And it adds, in a sarcastic postscript, the enquiry—

“What is, I wonder, the magnifying power of the glass through which *some* of the Scotch look at their question of Establishment or no Establishment?”

His “Parliamentary and public declarations” had all been, as we have seen, in favour of the Scottish people working out this matter through the political “organs with which the constitution provided them.” And the same position he now fell back upon

in his celebrated letter to Dr Rainy of 24th May 1879—the point at which, as the latter's biographer says, “the two most powerful men who were to influence the issue came into contact.” Rainy was a good deal puzzled with this letter, the neutral attitude of it contrasting with that of Mr Gladstone during the past ten years. It was not indeed published until I had met Mr Adam, and had ascertained that it was endorsed by Lord Hartington (still the nominal leader), and was intended to be a manifesto to both Church parties, keeping their question absolutely open for treatment during the coming election and the coming Parliament. That satisfied Scotland and the Scottish Liberal party, both always delighted to have a question of their own expressly referred to themselves. And when it was announced that the great leader was coming out of his retirement to attack

the ducal stronghold of Midlothian, there was an unexampled explosion of political enthusiasm. One whom he had honoured with so much occasional intimacy for the past ten years could of course not keep out of the fray. And what I said to the Midlothian men at Stow in October 1879 was this:

“ You have never seen Mr Gladstone nor heard his voice. Before two months are past I hope you will do both the one and the other. But we are speaking of a public man, who, during his long life, has beyond all other public men lived with his heart bare to the world; with, according to the old fable, a window in his breast. Ten years ago he wrote a chapter of autobiography. But, in truth, he has been writing unconscious chapters of it all the years of his life. And the gleanings and the harvests of those years are before you. They have burdened

a thousand fields and the reaper brings all his sheaves to you. Don't go blindfold into this matter ; read his speeches, study his articles, learn his great language ; look through it all into those eyes and judge if the man who has never been false to others will be true to you. And then, by all means, hear what his opponents say. Mr Gladstone is a statesman who has at no time been in extremes of opinion ; even his enemies have not ventured to accuse him of that. What they have said is that in that middle path of conviction which he has so many years trod, he has always had three courses before him ; that in taking one of these after another, he has united what they are pleased to consider inconsistencies ; and that while doing during every part of his life the work of six men, and that not in the field of politics alone, but in almost every other, he has done it all with a superfluous passion for



details, an unnecessary enthusiasm for truth, and a most inconvenient rage for righteousness. Suppose it all true—so much the worse for them. Well may they dread a man whose failings so rush to virtue's side! And so much the better for us. Those generous exuberances did not hinder—I believe they helped—the enormous work he has done for the State; and at all events they are clear gain to us to-day. For what we want is to know the man who is to represent us—the man as well as the statesman.”

It was much the same view of him which I had presented to the Glasgow University Students at a Rectorial election two years before. But speaking now to electors, and with our Church question in my mind, I thought it right to be more definite in my closing words.

“Mr Gladstone will be not merely the representative of Midlothian—he will be, in

a very important sense, the member for Scotland. But we cannot expect from a stranger on such heights the intimate knowledge and distinct views of our own matters which we are entitled to demand from one of ourselves. . . . In the absence of definite assurances, we fall back on that great assurance of a lifetime of splendid service. We believe that the representative of our country will at all times represent it and not coerce it. Once or twice already Scotland, in a crisis of British history, has turned the edge of battle ; let us try it once more ! ”

Mr Gladstone, as all remember, had a wonderful success in 1880. Scotland, in particular, “ rose to him like the audience in an amphitheatre.” But the public incidents of that time have been sufficiently recorded. And I was in this year occupied with private matters, which, however engrossing to myself, I propose merely to

mention. In August 1880 I married Sophia, the youngest daughter of Mr A. Dingwall Fordyce of Buckley, who (like his eldest son after him) had been member for East Aberdeenshire. In the following winter, having now been ten years at the Scottish Bar, I was appointed Advocate-Depute by Lord Advocate Maclaren, and I was afterwards continued in that office by Lord Advocate Balfour during the later administrations of Mr Gladstone and Lord Rosebery. Meantime, however, in July 1881, the death of my wife threw me for a time out of all interest in civil and Church politics, and my return to them the same autumn may be made a fresh start in this narrative.

## GLADSTONE—II





## CHAPTER V

### GLADSTONE—II

As to the Disestablishment policy, the Free Church (with Dr Rainy now as its sole leader, in place of the great Disruption group) had formally adopted it some years before the General Election of 1880. But the public movement on the part of Rainy after that election, which was often referred to as his Disestablishment Crusade, and which for its immediate purpose of convincing the conscience of his countrymen was perhaps the most successful thing he ever undertook, had quite a definite origin.

In the course of Mr Gladstone's Midlothian campaign I had occasion after one of his speeches in the county to meet him,

for the first time, I think, since his re-entry into public life. And the distinct impression left on my mind, not so much by what he said as by what he did not say, was that during the coming Parliament we must look upon him as neutral on our Scottish Church question, and as being so not only officially, but personally. It was an unwelcome as well as unexpected suggestion, all the more that I knew his convictions were still with us ; as indeed they remained to the close of his life. His public attitude, however, was now quite fair ; and it was not till the following year, 1881, that I became convinced that the suspense of judgment which was proper in a leader putting a question to Scotland and to his party was being misinterpreted, as if it favoured a similar suspense of judgment in those called upon to answer. For a time, as I have hinted, I was occupied with other matters ;

and it was more than a month after my wife's death before I invited Dr Rainy and one or two friends to meet at my house in Albany Street. To them I explained the new reasons which led me to believe that they must take Mr Gladstone's published letter in its most literal sense, and that the question, if it was to be decided by Scotland, must be unfolded before the people and the Liberal party there, by Scotsmen and on the soil. Practically, this was an appeal to Principal Rainy; for, though he had brought with him churchmen older than himself, Dr Wilson of Dundee and Dr Adam of Glasgow, it was certain that both the decision and the work to follow upon it would fall chiefly upon him. Our meeting was adjourned, but long before the date fixed Rainy had made up his mind to undertake the enterprise, and to ask Dr Cairns, an ardent and eloquent, but not



*doctrinaire*, United Presbyterian, to share it. In the public meetings which they held throughout Scotland, they did not put things upon the ground of abstract Voluntarism ; but on the other hand, Dr Rainy, after a week's consideration, flatly declined the plan which I rather urged upon him, to give prominence to the Free Church Claim of Right, as a means of raising a question which, once raised, could only be settled on grounds of religious equality. Neither abstract theory, nor past history, but the obvious and present justice of the case, he said, would have to carry him through. Dr Carnegie Simpson prints the very interesting letters in which he gave notice to Mr Gladstone, before the campaign opened, that it was about to come. When it did come, the temperate and reasoned appeal to heart and conscience had an effect upon the community which has long since

passed into history, as it has now into biography. And in one direction the writer found himself in a position to measure it.

Obviously, the answer to be given by the Liberal party in Scotland to Mr Gladstone's question, and still more to Lord Hartington's question, was only of less importance than that which might afterwards be given by Scotland at the polls. Dr Rainy, though, as he said himself, "a pretty strong Liberal" in conviction, thought it right after assuming the responsibilities of Church leadership never to speak on party platforms. It fell to me to make the annual motion on the subject, in the meetings of the representative Scottish Liberal Association, and it was admitted that this was the proper place to bring it forward for settlement. But Principal Rainy and his colleague were during the same years addressing the public outside,

and I knew well that I, speaking within the body, had no more power to produce the steadily increasing majorities I found there, than the thermometer has to produce the temperature which it records. But what the thermometer recorded only four years later, on 16th October 1885, in a crowded meeting of delegates from all parts of Scotland, was a vote of far more than ten to one in favour of my motion that "the time is now come for making Dis-establishment a plank in the platform of Scottish Liberalism."

The motion was carefully framed so as to record only the answer by the party in Scotland to the question put to it by its leaders, leaving to those leaders themselves, when in office, the responsibility of dealing with it as parliamentary exigencies might permit. In fact, the crisis and the huge majority were partly brought

about by an attempt of some managers, not in sympathy with the Scottish party generally, to force upon the meeting a motion prescribing other subjects than this to the Parliament about to meet. At the evening public meeting which followed that of the delegates in the afternoon (and which was still more unanimous and enthusiastic), I met Sir Henry Campbell-Bannerman, who expressed his warm sympathy with the course which had been taken, but hinted mysteriously at difficulties which might prevent the question, even if answered so far as Scotland was concerned, from having its due place at an early date. In point of fact, as a member of the Cabinet he knew, but could not reveal, that the Irish question had been taken up and pressed upon them by Mr Chamberlain, and that the Prime Minister was likely to throw himself into it. As it happened,



I had met Mr Chamberlain a month or two before at the old house in Stirlingshire of Mr Cunningham Graham, then tenanted by a Radical friend of mine, Mr Gilbert Beith. Mr Beith, impatient with Mr Gladstone's slowness, especially in the matter of the Kirk, had got up an "advanced" Liberal organisation, outside the official body; and Mr Chamberlain, then accepted as Mr Gladstone's lieutenant, and with an "unauthorised programme" of his own, had been brought down to speak at the opening meeting of the new caucus. I saw no necessity for another body than the official one, which I knew was advanced enough; and which, as we have seen, soon after declared its answer on Church matters (and has never since varied from it).<sup>1</sup> But Mr Chamberlain

<sup>1</sup>The unanimous resolution of the same official body at its 1909 meeting was, "that a Disestablishment Bill for Scotland ought as early as possible to be introduced and passed by Government." The other Federation,

came down to Glasgow, and devoted his address wholly to an appeal in favour of religious equality and Disestablishment. Two days after, Mr Cunningham Graham and I saw him depart from the fastnesses of Aberfoyle to the North Highlands, where at Inverness he raised the Fiery Cross on behalf of the Crofters. But the night before he left us there was a wonderful talk in the smoking-room. Mr Chamberlain had come straight down from Hawarden, where he believed he had been very successful with his hosts. But his forceful monologue that evening (for I happened to sit beside him, and was only too glad to be the favoured listener) related, not to the past of politics, nor to the present (for the Scottish Church matter, of which he had the previous day spoken publicly, seemed to him contemptibly started under Mr Chamberlain's auspices to press Religious Equality in Scotland and Land Reform in the Highlands, has long since passed away, but did useful work.

easy as a matter of justice), but to the future, and the future of his native England. And though the subjects dealt with were more those which have since come to be associated with the name of Mr Lloyd George, than the imperial and international proposals for which Providence had already destined Mr Chamberlain, the amazing energy with which the latter that evening swept over the field spread out before him, and the driving force held in such fierce reserve until the time should come for its discharge—all this was a revelation even to one who had repeatedly found Mr Gladstone in the same attitude of couchant expectancy. The energy may have been the same in mere amount in both cases ; but how different in all its characteristic qualities !

And to Mr Gladstone it is now time to return. After these political and other

results in Scotland in the autumn of 1885 he came down to Midlothian, and Dr Rainy met him and exchanged letters with him (which have been published) before his long expected speech on 11th November 1885. Dr Rainy was on his platform that afternoon ; I happened to be occupied in chambers all day, and it was not till the meeting's close that he came in with the strange news that Mr Gladstone had made a speech discouraging and postponing Disestablishment in Scotland. We ran rapidly over all that we could remember of Dr Rainy's letters from the Prime Minister during the last ten years, and of my letters and interviews during the ten years before ; but could find no light on the subject. It will be remembered that at that date early in November, what Mr Gladstone urged was a majority to make him independent of the Parnellite or Irish party, and there was no



idea of his turning round to act along with them. The first time I had assurance of the coming Home Rule proposal was in February of the same winter, when Richard Hutton, editor of the *Spectator* (who had been laid up by an accident near Hawarden, and so brought into kindly communication with Mr Gladstone's family), spent a week in my house in Edinburgh. During that week Mr Hutton made up his mind that the Irish crisis was coming, and he was in constant communication with my still older friend Meredith Townsend (still living in 1910), as to what position they should together take up upon it.<sup>1</sup> But at that date

<sup>1</sup> Nearly two years after (2nd Sept. 1887) Mr Gladstone wrote me as to their campaign against Home Rule :

"The case of the *Spectator* is one of pain, relieved, however, by an absolute assurance that it is governed, in what I think its errors, by honour and duty."

The two editors made a wonderfully contrasted pair, even when you found them (as I did one hot Friday afternoon, when they had just finished their week's proofs) sitting in their shirt-sleeves and playing chess across the editorial table, like two of Hogarth's Idle Apprentices

Mr Gladstone's mere intimation to Dr Rainy (on 5th November) that "a question of Irish government might take precedence of all others" gave of course no light, even if the coming up of such a question had not been mentioned as a mere "possibility." What had now to be dealt with was the Prime Minister's public lapse from a letter publicly addressed to Principal Rainy and given as a pledge to both sides. But of all men whom I have known this churchman was the best fitted to deal with a great crisis in the great style ; and before an hour

gambling on a tomb-stone. From thence Mr Townsend would go to the afternoon tea of a charming hostess, and spit out epigrams by the fireside. For Mr Hutton, much the less attractive of the two at first sight, I came to have a deep affection, from the day when we went together to see Carlyle's words on his wife's grave under "The Lamp of Lothian" at Haddington, to the other day when he and I wandered round that church by the Thames in which he had been married and where he hoped at last to lie, and to that last (New Year's) day when he wrote, under the shadow of domestic calamity, "that he still had as much happiness as can be looked for by creatures such as we are in such a world as this is."

had passed his arrangements had all been made. The protests he at once issued, written and spoken, are elsewhere recorded, as is also the effect which they at once produced. Mr Gladstone's immediate appeal to the Disestablishment men as "the backbone of the party in Scotland" was too late to recover not a few of them to his banner. As far as Scotland was concerned I have reason to think that he at once came to the conclusion that he had made a mistake; and even with regard to England, I am not so sure as Dr Rainy's biographer that, "from the view of party success, it was the best thing to do."<sup>1</sup> Mr Gladstone's proposal for Ireland in the Irish Disestablishment Bill was based on the proviso that henceforth—after 1870—there was to be no legal ascendance there of one Church over another, and if he had recog-

<sup>1</sup> *Life*, ii. 45.

nised at the same time that the same equality was desired—as it undoubtedly now was—by the people of Scotland, both facts might have been used, in hands much less skilful than Mr Gladstone's, to emphasise by contrast the position of the Church of England, and to hold out to its friends a “long vista” of undisturbed supremacy.

Anything farther to be recorded with regard to Mr Gladstone may be put into brief compass. He still desired to keep in close touch with his Scottish supporters, and seemed indeed to be waiting for the opportunity of making them a full *amende*. Soon after the great Home Rule election of 1886 (August 19), he writes me, marking it private:

“The recent election will give, I think, an increased prominence to questions properly national in Scotland. It will, there-



fore give Scotland an augmented hold on the Church question. In this view, I think, the result is satisfactory.”

A year later I seem to have drifted into a curious discussion with the now venerable statesman on our old subject of Church Union, and I must have asked him (*apropos* apparently of his speech at Nottingham), whether he did not desire Church Union in general. For he writes (12th November 1887)—

“ I think my answer to you must have been, ‘ No, I do not desire it unconditionally.’ ”

“ I incline to think the union of the three Presbyterian bodies now divided in Scotland would under given circumstances after a time probably be brought about.

“ I should consider such an union highly honourable to Presbyterianism and to Scotland, and also advantageous to Christian belief. The great movement of 1843 was

advantageous to Christianity at large, and the light of it flashed through Christendom.

“ I was then and am now a Denominationalist, rather a strict one perhaps. I fervently desire all unions which can be effected without compromise of principle or conscience ; and none other.” <sup>1</sup>

<sup>1</sup> Contrary to custom, I may give in a note my answer to Mr Gladstone's letter as above.

EDINBURGH, 17 ALBANY STREET,  
18th November 1887.

DEAR MR GLADSTONE,—I am very much obliged by your letter of the 12th inst.

If I add anything to my thanks, it is not to draw you into correspondence, but to suggest how the praise of denominationalism—a word which from your point of view is full of moderation and fairness to Nonconformists—is sometimes embarrassing to us in Scotland. We also have had our passion for Church unity within the nation, and our principles of Church unity, not bounded by the nation : and now that our fetters of nationalism are falling away, we are face to face not with union among ourselves merely, nor among Presbyterians throughout the world merely, but with the claims of Christendom past and future, and present to us under other forms than our own. From this great and difficult question we could no doubt find an escape by taking refuge simply in our denominationalism. But if we did so it would be resting not on a principle but

Two years later I find my first personal intimation that Mr Gladstone now believed that Scotland had given its answer—an answer we thought it had given even earlier—on the question of Establishment. On 31st July 1889 he writes—

“ I think that the vote twice given with a considerable interval on the motion of Dr Cameron imposes on me the duty of taking my part as an independent member of Parliament when the question may on a future occasion be discussed. Incidentally on a fact; and it would be no longer conscientious denominationalism.

I believe this is the feeling of our younger race everywhere; but my special reason for acute sympathy with it, is the stupid way in which (as I remember mentioning to you) first English and then Scottish law has assumed that separation—and even eternal separation—is the principle of the existing religious bodies. Until that is put on a more intelligent footing, there may even be some danger in references to denominationalism which ignore what I take to be the Church view of it, as it certainly is the Presbyterian view—that it is, at best, a necessary evil.

But I am sure you have considered all this, though perhaps in another form.—I am, etc.,

A. TAYLOR INNES.

I think the issue ought to be distinctly, and so far of course separately, before the people, when such a question is discussed ; and at Nottingham I strove to make it clear that such a position had already been attained."

It is matter of history that Suspensory Bills, both for Scotland and Wales, formed part of the programme of Mr Gladstone's government when it returned to power in 1892, and that his successor, Lord Rosebery, subsequently not only accepted Scottish Disestablishment, but made Sir Charles Cameron's Bill on that subject a Government measure.

During those years I met Mr Gladstone in London, but never in James Street, from which I see some letters are dated. That reminds me of one earlier day when I called, I think at Carlton House Terrace, and found him on his knees, buried in papers, for he



was leaving his house that day. He rose and extending both hands said, "I can't shake hands with you, Mr Innes; they have been deep in the dust of my old pamphlets." "But," I answered, "I, too, have been searching for one of your old pamphlets," a printed speech of his, I went on to explain, which only the week before James Moncrieff, Lord Justice Clerk (at a Circuit Dinner where I sat beside him as Advocate-Depute), had asserted to be the best speech Mr Gladstone ever made, and the only one which had ever changed fifty votes in a House of Commons division. "Yes"; Mr Gladstone muttered, with grim concentration: "but the House was against me after all. But," more cheerfully, "I will give you the pamphlet." And by the time he had disinterred and presented it to me, he was deep in the subject of it—the taxing of charities, which in that debate he had urged

in vain. And thence, forgetful of grimy hands and the passing hour and his domestic pressure—he was in the middle of leaving and stripping his fine house—he ranged over the whole subject of mortmain and Church lands and University lands, and the laws of England and Scotland with regard to them. Only one sentence of it all I will record, because of the emphasis with which it was given. Speaking of local charities—not so far as I can recall of one class of them, but of all charitable bequests—he said, “There are hundreds of such charities scattered all over England, and I do not know one of them *which is not a curse to the locality.*” I remembered that I was listening to a famous Chancellor of the Exchequer, and was not surprised that he should think such a borrowed kind of hen-roost as liable to taxation as the other—that of the domestic bird itself,

which we all count a blessing and yet tax.

To the last Mr Gladstone made no secret of his sympathies with caution and conservatism, and I remember how, when he was beginning to raise the Irish Question, he insisted that the move was really a prudent and cautious one. Then I find that some time after that throw was made, and for the time lost—in fact, in the same letter of the year 1887 in which he comments on the changed attitude of the two editors so long his supporters,—he goes on to make a striking general augury as to the political future. It is a future unfulfilled as I write, in the midst of the general election of January 1910. Twenty two years ago Mr Gladstone said—

“With respect to politics, I fear the *Spectator* makes a fearful miscalculation. I am persuaded that our Irish Bill, if accepted,

would have had a quieting and composing effect on English politics. But the course pursued by Lord Hartington and his friends has given a powerful impulse to Radicalism within the lines of the Liberal party ; and it will, I think, be difficult, when the ground is cleared by the settlement of the Irish question, for moderate Liberalism to hold its ground."

Throughout, Mr Gladstone frequently used his famous *post-card* means of communication ; and the frankness of his comments in that unclothed fashion sometimes made me blush as they passed through the hands of an intelligent Scottish postman. Thus in 1890, while he "thought the issue of the debate in the House of Commons satisfactory and promising," he adds openly that "Lord Hartington's speech deserves at least three notes of admiration from our point of view." And, at the close of the



Assemblies of the following year, he balances a post - card comment on "the summer lightning of a little ducal fanaticism" by his "strong sense of the credit which ought to be given to the Moderator" (Dr James Macgregor) "for his address."

Mr Gladstone had by this time, as member for Midlothian, voted for Sir Charles Cameron's Bill for Scottish Disestablishment, and so come into line with his party. We never made any difficulties with him on the score of delay or inconsistency. But those on the other side were now disposed to do so, and I must have written him as to some particular pitfall prepared in Scotland for those aged feet. For on 14th October 1890 he writes me, not a post card this time, but a letter, and the last I shall quote.

"Many thanks for your letter. The question is a little tangled, but I con-

fidently hope to pick my way. I must be careful not to use any arguments that go beyond the Scottish case ; and I shall take counsel on my arrival so as to have every chance of a good choice of language, which will undoubtedly be put under the microscope. Yours most faithfully."

Two years later came the only full talk I had with him in those later years, and the only time I saw him at Hawarden. I was detained in passing through Cheshire on my way from Malvern, and could not resist calling. But it happened to be a day (16th April 1892) when thousands congregated in the park outside, and my first words expressed regret at coming "on a day when you are so besieged." "Ah!" he answered, "every day is much the same with me now." But Mrs Gladstone shook her head, adding explanatorily, "he has not had his walk to-day," and indeed, as

he sat with three of his family in that almost circular little room (the Octagon?) he had rather the air of an imprisoned lion. But in two minutes he had blazed up into talk. Among the things my face seemed to remind him of were some too personal to quote; but this from "a great dinner in Arlington Street" he told to the credit of his great rival. Dr Stanley had been discoursing to Lord Beaconsfield against dogma. The latter listened patiently, and then said only, "Yes—but I fear—no dogma, no dean!" "Was that not," I asked, "about as deep as Lord Beaconsfield could go?" "No," he answered; "he saw very sharply into the defects of his own side." Soon after we came upon the view some one had recently expressed in Scotland that, devoting part of the tithes, as John Knox did, to helping education and the poor, would be to secularise them. "Secu-

larising the tithes!" Gladstone broke out. "I cannot understand such a phrase. If it required a miracle to make the corn grow, you might perhaps secularise it. If it were even a vessel dedicated by man to a special use, you might secularise that. But secularisation of—the fruits of the earth!" I had been familiar with the doctrine of lawyers and Protestant Europe that the tithes belong to the people and not to the Church, and with that of Catholic theologians that they belong to the poor, and that the Church only claims to distribute them. But it was a piquant novelty to hear this so sharply said by the aged High Churchman who had in my youth avowed his allegiance to that "Christian society which is the salt of the earth." From this we went on naturally to the question of dealing with all societies and with all Churches in a way of absolute justice. In



Scotland he thought now, as always, that it was a very easy problem. I was disposed to think it might require caution on some points, and might have to be done, not by one, but by two legislative acts. Even that, he thought, could be met in the way proposed by his original Irish Church Bill, before it was mangled by the House of Lords. But at this point Mr Herbert Gladstone came in and said, "I fear, Sir, you will have to go out to those people." Their shouts had all the afternoon been coming in from the other side of the castle, and after we had tea the whole party went out to a little knoll from which the statesman might speak. When we arrived there I said good-bye, and was already some hundred yards away when the acclamation that greeted his closing words made me turn round, and watch the family group descending towards their home, while Mrs

Gladstone tossed her thin hands in farewell to the shouting crowd.

Once more I saw him, but I cannot at this distance remember whether it was before or after he finally resigned the premiership in 1894. I was in London, and watching the double stream of cabs and hansoms in Northumberland Avenue, when suddenly a well-known fragile figure—he was now about eighty-five—emerged from the Dépôt of the Society for the Propagation of the Gospel, and stood on the curb in order to dash across the crowded road. It was Mr Gladstone, and I was irresistibly reminded of the words in his last letter to me, “ I confidently hope to pick my way.” I refrained from encumbering him with guidance and stood ready to run in if danger came too near. But he crossed triumphantly, and hugged his little packet of literature as he walked rapidly away. A caricature of his last Oxford visit

admirably recalls this astonishing vivacity, unburdened by the weight of years.

Mr Gladstone's character, as Lord Morley's biography brings out well, was in one respect exceedingly simple. His life became immensely powerful and influential; but it all flowed from one source—the moral crisis almost in the form of a religious “awakening” or “conversion,” through which he passed in his Oxford days. For immediately upon this there followed the consecration of his whole life as the life of a layman, and yet to be lived from the highest motives.<sup>1</sup> His opinions, religious and political, changed

<sup>1</sup> In Lord Morley's *Life* (i. 55) he quotes young Gladstone's diary as to a walk with Anstice, in August 1830, in which “thoughts then first sprang up in my soul which may powerfully influence my destiny.” In the *British Weekly* for 14th July 1910, when dealing with the whole of this critical period, I pointed out the interest that attached to this particular date (not yet ascertained) in that August. Lord Gladstone, I may notice, writes me from South Africa on 11th February 1911, expressing full “sympathy with all you say in your article in the *British Weekly*.”

afterwards from time to time. In religion, from Evangelical and individualistic, they became more High Church and historical. In politics, from Conservative they became avowedly Liberal. But while such subsequent revolutions changed the direction, they do not seem to me to have added to the amount of the force which at that date began to move. Up to the age of twenty-two Gladstone was like a hundred other lads around him. From that age till he died at eighty-nine he lived in the lavish expenditure of power generated in him by one year—perhaps one hour—of conviction. But that force was a moral force; and for seventy years thereafter it poured itself with amazing volume into each new channel of opportunity which seemed to him a path of duty—much as if his chief guide in life had been the ancient indiscriminating exhortation, “Whatsoever thy hand findeth



to do, do it with thy might." This central characteristic of the man must in fairness be taken into account when we look back upon his relation to Scottish affairs, and note that on some occasions he seemed ready to hurl himself into them bodily, while on others he forgot, in the presence of greater issues elsewhere, some promises which he was reasonably expected to recall.

But this mighty opportunist had learned more from Scotland, and in particular from Church matters there (and at an earlier date), than appears either in his great biography or in the *Letters* published by Mr Lathbury. Mr Gladstone, as we have seen, was "in transition" on the great question of Church freedom, and in particular of Church freedom from Establishment, before the year 1851. He dates his personal intimacy with Dr Chalmers from 1833, when the Ten Years' Conflict of the Church with

the State in Scotland was just beginning. It had advanced so far as to imperil State connection when Chalmers' Lectures in 1838 suggested Gladstone's first book. And the "warrior-grandeur" which he loved to ascribe to the divine culminated in Gladstone's view in the self-Disestablishment of the Free Church in 1843, a transaction the principle and even the formula of which he takes over in his earliest letters to Manning, while to the end of his life he never spoke of it but with enthusiastic admiration. No doubt this period, after he left Oxford, was that of his becoming also a strong High Churchman. And even "Oxford," as Mr Gladstone explained long after leaving the University, "rather tended to hide from me the fact that liberty is a great and precious gift of God," though, as he goes on to state, it had in the region of philosophy "laid the foundations"

of his liberalism. But of Gladstone's liberalism in one region, that of State and Church—the foundations were partly laid in his Scottish descent, and even before Dr Chalmers' death the structure had been substantially raised. When I came in contact with him in 1869 (a very culminating point in his career) he had nothing more to learn on that subject from us; and his negotiations ten years after with Principal Rainy were based on principles which he had not only attained but publicly expressed as far back as 1852.

## PRINCIPAL RAINY





## CHAPTER VI

### PRINCIPAL RAINY

I GO back now from my recollections of Mr Gladstone to recall more deliberately a man who impressed Mr Gladstone as (to use his own words in 1895) “ unquestionably the greatest of living Scotsmen ”—Principal Rainy. Dr Rainy’s *Life*,<sup>1</sup> by Dr Carnegie Simpson, gives a powerful and truthful view of the whole ecclesiastical development of the time. And it is equally successful as an impressive revelation of the man—a revelation from the best sources, his own acts and utterances. Anything to be said henceforth on either aspect of the subject must be like gleaning after the harvest.

<sup>1</sup> London, Hodder & Stoughton, 1909.

And what I set down on his course here will be either details which would be otherwise lost, or smaller dealings of my own alongside of Dr Rainy and in the same field.

Yet before entering upon that I should like to say something of Rainy himself, beginning with what he was when I first met him, soon after he had left Huntly in 1854 for the Edinburgh pulpit.

It was in that pulpit I came to know him; and, curiously but perhaps appropriately, it seemed at first as if it were not the man who made any impression upon me. It was the Unseen and Divine into which this man seemed day by day to make a personal and original approach—it was this, it seemed to me, which first arrested the hearer. But of course the man and the preacher soon became himself the object of interest and study. And I remember that the first impression which he thus un-

consciously made was that of bigness or greatness—capacity generally, not for any one thing, but for anything to which mind or heart could be called. Rainy seems to have carried down to that date a feeling, such as often clings to studious youth, that his own true call might be not to preaching, nor to public work, but to thought. Under Hamilton I had learned not only a great veneration, but a very high standard, for the vocation of the thinker. Yet I am sure that if Rainy, at the time of my first knowing him, had mentioned to me the field of thought as his idea of his own future, I should at once have acquiesced. Before a few years had passed however, I came to think that this man, still in the pulpit and powerful there though not popular, had an equal and extraordinary capacity for dealing with personal affairs, historical transactions, public questions, and the whole



vast range of things that make the outside and moving world—a world in which he seemed destined to be himself a dynamic centre. And I find it curious that so far back as in a letter in a newspaper somewhere about January 1862, I should have spoken of this comparatively young man almost in the same terms which so many used about him upon his death in his eightieth year. Forty-four years before that close I wrote of his “commanding and essentially central intellect,” and “his solemn stand upon the highest truth,” as both combined with “a marvellous tolerance and mental magnanimity, and an all-embracing outlook upon the waves and currents of modern opinion.” But the man so spoken of was at that very time being destined by his Church to the teaching of Church history, in succession to his old master, William Cunningham. And even

that destination was soon to be frustrated, or at least overshadowed, by the informal but imperative call of the Assembly of a self-governing Church to be its guide in grave practical questions—its guide in the first instance along with Robert Candlish and Robert Buchanan, the two surviving Disruption leaders.

What was the man like who thus came to the front ?

He was a slender and fair young man, very light on his feet, but with square shoulders and a finely poised head crowned with golden hair. The face could be extraordinarily genial in private, and extraordinarily impressive in public ; but ordinarily it was more or less of a mask. This was partly due to a congenital defect of vision,<sup>1</sup> which the observer felt long before

<sup>1</sup> It was long before Rainy himself knew that it was there. He was, he told me, a student of about eighteen, when, happening one day to cover his eye with his hand,

he knew that it was there ; but in part also to the severe and statuesque lines on which the countenance was moulded, and in part undoubtedly to a deep reserve of nature which those lines were fitted to express and to guard. It was a face whose silence could be as crushing as its speech : how often it looked as if Dr Rainy would be obliged to the universe to mind its own business ! And yet, it was the face of an orator as well as ruler, and the light from within dominated his audiences from the first. It did so notwithstanding a peculiarity of speech which curiously repeated the effect of that marble mask when the face was in repose. For the new Church leader insisted on thinking for his Church, and on thinking on his feet every time he spoke to its Assembly. And as he thought he found he could not see with the other, and, going in great alarm to an oculist, was assured that he never had seen with it.

his own thoughts in public, so he spoke his own words—very plain English words generally—but each of them with a certain idiosyncrasy and personal connotation, so that to get their full force you had to learn them almost like an alphabet. Long before the close all Scotland had come to understand him. But at first there were those who had not the ability, or had not the time, or had not the desire, so to do. And with those who found that for them Dr Rainy was “Dr Misty as well,” the too hasty conclusion sometimes was that a man who so attempted to get great governing audiences to follow his private thought was probably an “ecclesiastical schemer.”

It was an unfortunate surmise, for it was as nearly as possible the converse of the truth. There were two things which made Dr Rainy less of an ecclesiastical schemer



than any leader of his Church before him had been—less, certainly, than Church leaders usually are—less, probably, than Church leaders ought to be. One was a matter of temperament, the other of conviction.

Dr Rainy's original temperament was, to a degree not even yet recognised, large, liberal, tolerant, and easy—or even, as he himself used to put it, lazy. He acquiesced in things as they are. He rejoiced in things as they are, and saw that they are good; and unless there was strong reason for doing otherwise, he left them as they are. He was anything but restless or hasty. To the last he “left letters unanswered and forgot engagements. He paid no heed to trivialities, and was contemptuously indifferent to forms of expression. He postponed decision of difficult questions as long as possible. For an important debate he

prepared, not by elaborating a speech, but by ruminating in his arm-chair.”<sup>1</sup> And if he was this as a man, as a boy he was the ideal “absent-minded beggar,” capable of habitually sliding down from the top of his father’s house on the bannisters, and occasionally tumbling over them—capable also of walking a mile with a message to a Glasgow merchant, forgetting every word of it, and walking out of the room without a syllable of explanation. No doubt, before he grew to manhood, religion and his Church (in which at that moment there happened to be a good deal of religion) gripped him, and tightened up the loose-girded youth. But they never changed the lines on which he was originally moulded—in some respects, as we shall see, they deepened them. In particular, they left the large and

<sup>1</sup> Rev. Professor MacEwen in *Glasgow Herald*, 24th December 1906.

leisurely and humorous outlook with which Rainy met and welcomed the world and its inhabitants—rejoicing in John not because he was so like James, but because he was so different, and pleased with both, because both differed from himself. Men who knew him as the strenuous worker in public could scarcely believe this. But when you met him in private, in the other mood in which not the body but the soul takes its ease in its inn (and outside his own family that other mood, of one “ample and relaxed, like a genial Olympian,” was only occasional), you came to see deeper. Three-fourths of this self-accusing indolence was simply the “wise passiveness” in which great minds grow up to greatness, never losing in the meantime their moral breath of temperament.

But more important even than temperament, as an explanation of this Churchman’s

career, were his convictions and principles about religion, and in particular about the Church. It was these apparently which changed him from a commonplace boy into an immensely impressive man. But they did so, in the first place, by concentrating him—by fixing mind and heart upon the big things and leaving him loose to others. And religion, at least when Christian and Protestant, does not begin by making the Church a big thing. The Church may become important later on—as anything else may—in some crisis of conscience or duty, or as the obvious means to an important end. But in its own nature it is the second, not the first; and with this man at least it was very far from being even among the first. Those who can remember Rainy's earliest appearance in Edinburgh, as pastor of the High Church, remember nothing better than the *restful-*



ness of the influence he exercised there—a restfulness clearly traceable to his drawing heart and mind to settle down upon a few great central truths and motives; while the theological detail on the one hand, and the practical detail on the other, were left to be worked out by each individual hearer under the guidance of individual faith. It was the example and the inspiration of the man that told upon us quite as much as his teaching. And it was so all through. Rainy's was not destined to be a peaceful life, and the storms blew across it chiefly from the ecclesiastical quarter of the sky. But to the very end all near observers felt that there was in this man the same

“Central peace subsisting at the heart  
Of endless agitation.”

If his outlook upon the world was no longer so obviously large and leisurely and humorous, it was still large and earnest

and sympathetic. He retained his distrust of premature construction, of clean-cut theories, of the dogmatic temper in handling divinity or philosophy, and of all remedial proposals which had not as yet approved themselves in practice. And he had begun to exemplify that incomparable regard and deference for the views, the feelings, the peculiarities, and even the prejudices of those around, and especially of his opponents, which made perhaps the greatest charm of his long leadership.

But Rainy had a theory, or at least had convictions, with regard to the specific subject of the Church, which came in aid of his large temperament and centralising theology, and to me explained much of his career. I never heard him more energetic in private than one morning in Edinburgh, when we read together the report of a lecture delivered in the West on the pre-

vious day by Dr A. B. Bruce. The subject of the lecture was the Church, and the substance of it (I have no doubt the report can be still unearthed) was, that the Church is not so much a corporate body as a mass of individuals, that its life is simply the life of these individuals, for all of them it is bound to make room, and that the progress of the Church is the progress, and therefore the change in the life of progressive individuals, which the body as a whole is bound to cherish and has no right to repress. I may have made some mistakes in re-writing this from memory ; but I make no mistake in recalling Rainy's delight in reading it as in his view a final statement of the truth on the matter. He struck the table with his hand as he expressed his intention of writing congratulations to Bruce, who (I had myself the strongest impression) had probably uttered

these views *against* the supposed views of Rainy, now fully entered upon his career of Church leadership. Substantially the same theory—but with sharper angles and with some suggestions from a modern German school—was put forth in the only sermon I ever heard from Professor Robertson Smith (who had at dinner the previous evening instructed our host, Mr Campbell of Tullichewan, in agriculture and the management of estates, put me right as to Roman Law, and convicted two other gentlemen of obvious ignorance, each upon his own subject—and all after spending the Saturday afternoon in playing tennis like a demon, to the discomfiture of both sexes and every age). But whether Rainy wrote his approval to Bruce or not, I have abundant reason to know that the theory of the Church which was common to all three men, influenced profoundly the



one who was called to lifelong leadership. Again and again, when urged to take some forward step, and especially when urged to make some present provision against a danger admittedly remote, he opposed a solid and silent and passive resistance which made you feel that you were throwing soft peas against a rock. But sometimes the deep broke up ; and I still feel the thrill with which I occasionally heard his deepest reason for *laissez faire* as a Church policy, and for the “ sufficient number ” as a Church requisite, and for a leader following his Church in cases where all men expected him to lead. It was—I do not vouch for the exact words, but substantially it was—that it is God who has to guide God’s Church, and that any one who is privileged to tender advice to that Church should beware of anticipating that great guidance as well as of opposing it. Such an un-

warranted anticipation there might be, Dr Rainy held, in reference to things external to the Church, as when you "run in advance of God's providence"; or in things internal, as when you press upon the Church a development in faith or practice, which may for the matter of it be quite right, and which will at some time in the future be attained, but for which there is no evidence that the Church is as yet in mind and conscience sufficiently prepared.<sup>1</sup>

My first actual dealing with Dr Rainy in connection with matters ecclesiastical was when, as a young man in his congregation, I asked him, shortly before 1860, whether he would admit me to the Church

<sup>1</sup> His last recorded words were to the like effect. Asked for a message to the Church from his Australian death-bed, the response was indistinct. His daughter "repeated what he had seemed to say, asking, 'Did you say, God will guide the Church?' 'Yes,' he said with marked emphasis, 'always, always.'" *Life*, ii. 511.

as a communicant, without admitting me to the Free Church. I rather preferred that Church to other bodies, and was ardently with it as against State-churchism ; but I suspected that its complex and ancient and unrevised creed made it schismatic. Indeed, if (as was frequently held at that time) the " Confession " was not only unrevised but unrevisable by the Church itself, there could be no doubt that it was so. Rainy agreed to have me on my own understanding. On what theory he did so I do not know, unless it were on the analogy of " occasional " communicating. But those who have heard him even in the Assembly will understand the impressive earnestness with which he thereupon urged (and to the end of his life it was a favourite theme) the weight of privilege and responsibility involved in so coming into relation to the Church of Christ, as com-

pared with the incommensurably small obligations to any particular body, even where the obligations to the latter were formally undertaken. My position, of course, debarred me from taking "office" in his congregation, which in 1861 he left to succeed Dr Cunningham as Professor of Church History, while in 1862 I went to Glasgow to join a law firm there. In the Glasgow congregation of Dr Marcus Dods I was invited, and I think at least once formally elected, to become an elder, but declined for the same reasons. But while in Glasgow, this question of an old creed, and its modifiability by the power of the Church, came to be of interest in relation also to the Established Church (in connection with some utterances of the then Dr Norman Macleod). My friend Dr Charteris, of the Park Church there, urged me to study the matter on that side; the



Cardross case, which had fizzled out before I left Edinburgh, raised the same sort of question on the side of the Scottish common law; and the result was a book already mentioned which I published in 1867, on the *Law of Creeds in Scotland*, dealing with both aspects of the case. On returning to Edinburgh and joining the Bar in the beginning of 1870, I came into more intimate relations than before with Candlish and Rainy; and Dr Robert Buchanan I had come to know well in Glasgow. My book had come out in the very crisis of the negotiations for union between the Free Church and United Presbyterian Church; and before those negotiations were suspended for a generation in 1873, I was elected to be an elder of Dr Candlish's congregation in Edinburgh, which I had joined on returning there. I declined, as before; but Dr Candlish wrote me about it (after

consultation with Dr Rainy, as I found long afterwards upon the latter's death, when perusing his correspondence). I went to Candlish, and he explained that his old friend Murray Dunlop, since 1843 the Legal Adviser of the Free Church Assembly, was breaking down, and would probably never again speak there, and it was desired that I should enter that body as an elder, with the idea that it might elect me to be Mr Dunlop's successor. No prospect could have better suited my plans, professional and otherwise ; but I had to stick to my scruples. Candlish had been prepared for them by Rainy ; and I never heard anything more able or more ingenious than his demonstration in that Melville Street study that a Confession intended for thousands or millions of men could not be the private confession of any one of them, and could not be written for any one of

them. It was written to be embraced by all as the common faith, and unless I was prepared to "put a negative" on something in it as objected to by conscience, I too was entitled and indeed bound to sign. Dr Candlish was a man for whom I had a boundless love and admiration, and after thanking him warmly I took away his proposal to consider it. But I found once more that the Formula made men not merely sign the confession but sign it as "the confession of my faith," with a promise constantly to adhere to "the doctrine therein contained"; and such words seemed very inappropriate for the signature of one who was convinced that the Church was now called to the long neglected but imperative duty of creed-revision and that her right to exercise that duty might yet prove to be a cardinal point in her boasted independence. Rightly or wrongly, therefore, I stuck

to my guns, and remained for twenty years longer an outsider in my own communion. Of course such a proposal, made by one leader of the Church who was now about to leave it, and by the other who was to succeed him, implied a certain amount of confidence. But more than ten years before, when the Cardross case occurred, something I wrote on it in the press had attracted their attention, and I was put in confidential communication, not only with Rainy and Candlish, but with Principal William Cunningham and with Dr Begg, all then working harmoniously together. By 1868 Dr Begg had broken off on the great question of union with the United Presbyterian Church. And in the same year (in answer to Sir Henry Moncreiff's able criticism on my book of 1867) I had recorded my view<sup>1</sup> that the Free Church had no higher claims

<sup>1</sup> See *Studies in Scottish History*, p. 204.



than the other negotiating Church, and that those two Churches were already one in principle and should sooner or later unite. But in my book itself I had elaborated the fact that there were grave legal difficulties in the way of such a union, and of any Church union under Scottish law.

Rainy was in no sense the originator of the great union consummated in 1900. That honour belongs (on the Free Church side) to the great Disruption men—Chalmers, who when Moderator in 1843 predicted it, Cunningham, who before his death in 1861 laid down the principle of it in the precedents of America and Australia, and Candlish and Buchanan who started the negotiations. But it was characteristic of Rainy that though during the ten years of negotiation in the middle of the century he worked as a subordinate under the two last, he wrought with more unsparing

labour than at any other time of his life. And the failure of their effort in 1873 was, I suspect, a keener disappointment than any which he was to encounter in his own career.

I have never seen reason to believe that the legal risks which were now published and discussed—or even the risks pointed and used as threats by Dr Begg and his party—were the determining cause of stopping the negotiations in 1873. All my recollections combine with recent perusal of Dr Rainy's correspondence rather to indicate that the arrest was due to the organised opposition and the apprehension of a large secession, wearing out Dr Buchanan first, and more slowly Dr Candlish and Dr Rainy. During the later and more acute stages of the controversy I had practically *carte blanche* for leader-writing on Church matters in the *Daily*

*Review* of Edinburgh, then an organ of Free Church opinion. I remember with what hesitation I began to give utterance there to my doubts as to the legal safety of going straight on to the union. Especially was this so on one occasion when I veiled a strong dissuasion to the Free Church under the old words

“O navis, referent in mare te fluctus  
Novi? . . . Fortiter occupa  
Portum.”

I was surprised, indeed, that the Church leaders gave me so much freedom in the matter. But I have come to think that by that time Buchanan and Rainy were privately preparing to postpone the whole crisis, if necessary. Dr Candlish, now not far from his end, was more reluctant; but he left to them the arrangements for the final Assembly of 1873. It was not till a few days before that Assembly met and

after all these arrangements for it had been made, that on the 20th of May an opinion of Counsel was taken on the legal risks—risks irrelevant as to Church principle, but important as to immediacy or postponement of the risky action and perhaps also as to the form of action to be taken. And even at the last Dr Candlish insisted that it should be only a verbal opinion, leaving no documentary trace.

I am now the sole survivor of the three Counsel then consulted, and indeed of the little company present on the occasion, some circumstances <sup>1</sup> of which I note below.

<sup>1</sup> The minute of the meeting supplied to Dr Rainy's biography (vol. i., p. 192) is as follows :—

“ 20 May 1873. Consultation with Solicitor-General (Rutherford Clark), Mr Balfour, and Mr Taylor Innes. *Present*—Sir Henry Moncreiff, Dr Rainy, Lord Dalhousie, Mr Cleghorn, Mr Brown Douglas, Mr Maclagan, Mr Balfour, W.S., Mr Anderson Kirkwood.”

But there were two others there, Mr John Clerk Brodie, W.S., who had arranged the consultation, and was present as agent; and most important of all, Dr Candlish. His name may have been omitted because he came in late,



I did not understand that we were consulted by the Free Church, or on its behalf, but rather by a few leading members of it, lay and clerical. It was not done through the Church's law agents, and there was little or no written Memorial. But the two distinguished senior Counsel had already been consulted by Dr Begg and his friends on an elaborate statement of facts; and when their opinions were published along with

but it may have been because he disliked the whole transaction, and it was he who insisted that the consultation should be followed by no written opinion (which it would otherwise have fallen to me to draft for my two seniors). It is a mistake to suppose, however, that the risk to Church property in the event of incorporating union was not the leading point put. The other, as to Mutual Eligibility, on which none of the counsel saw difficulties, came second. But both points were put by Dr Candlish as spokesman.

The same order of the two points may be observed in the contemporary note of the transactions in Mr David MacLagan's private Diary, published (somewhat irregularly) in his *Life*. But I think it possible that this note may refer (as Dr Rainy's biographer half suggests) to "a preliminary talk" with the Solicitor-General on the same day, or perhaps to a subsequent talk, quite as much as to the formal consultation. That consultation was very formal, and it was short.

that statement a year after, I find the question was raised<sup>1</sup> between Rainy and me whether Mr Rutherford Clark and Mr Balfour should not have got more information from the side of the majority before again answering questions on which they had already heard so much from the other. I, who had been thrown in as Junior merely because I had made a special study of the subject, could not plead lack either of information or of interest.

The Free Church Assembly decided, a few days later, to suspend the Union negotiations and disband the Union Committee. This was a disappointment to me, for I had for some time been privately putting before Professor Rainy another and intermediate course. For the past year or two that Committee had been dealing with plans not so much of incorporative union (al-

<sup>1</sup> 18th September 1874.

ready approved in principle) as of co-operation, in the shape of Mutual Eligibility of ministers and otherwise, between Churches still to remain separate bodies. This co-operation, though disliked by Dr Begg and his friends, was not held to be a legitimate ground of secession; and some of them, like Dr James Gibson of Glasgow and Dr Thomas Smith, had publicly stated that they would submit to it. My idea was that the Union Committee, instead of being disbanded, should be instructed to pursue its plans for co-operation between the two ecclesiastical bodies. But under this head of co-operation I saw no reason—certainly no legal reason—why in a year or two the Foreign Mission Committees of the two Churches should not become one Committee with so many members from each body; why in another year or two the Home Mission Committee should not

be united in the same way ; and why, in a very short time, the whole ordinary working operations of the two Churches should not be *interlocked* to the great advantage of Scotland and of their own spiritual work, and so form a fitting prelude to the final step of incorporation when that step should be safe and should be called for. I was a young man and an outsider, and had no means of judging whether that course would have been agreeable to the Free Church if proposed to it, and, if so, to the other Church concerned. But I had put the view to Dr Rainy even before the publication of my book in 1867 ; and as soon, in fact, as (in writing it) I had come to the conclusion that the proposed incorporation involved large risk to property. How far it was considered by the two elder men I do not know ; but when after the crisis of 1873, I still expressed regret to Rainy



that something like it had not been carried out, the only reason he gave to the contrary was that "the Church, and especially the Highlands, needed repose on this matter."

Union, therefore, in the sense of incorporation, was suspended for a generation, and, in my view, on justifiable legal grounds. But, as Dr Candlish's noble protest of 1873 proclaimed, it was still recognised as a duty, and was not abandoned but merely postponed. What steps should now be taken, what policy should be pursued, to make it safer when it should again come to the front? On this point I was perhaps more bound to have a view, and to communicate it to the Church leader with whom I had become intimate. On 2nd September 1872—the year before the Union crisis—I had written him from the Highlands as to our Free Church claim

of self - development and self - improvement :

“ I think innumerable other changes protested against by the other side, *e.g.* adding a few hymns, may and ought to be made the occasion of reaffirming the principle of the right of the Church, and the connection of each minute change with the central principle of 1843 ; till the public is quite familiarised with it, and an additional ground for the Courts to go upon built up.

“ For the Courts will give the Free Church whatever rights it deliberately claims : they are not bound to give it what it only claims occasionally or *pro hac vice*.”

Shortly after the decision of 1873 I wrote again, but this time on the necessity not of Church affirmation merely, but of a course of Church action, to convince the judges ; and I enclosed him “ an old and forgotten

entreaty of mine”<sup>1</sup> on the matter as leading up to what I would wish now to say “in view of our present legal difficulty.” But, after all, I had only urged “that very course of legislative expansion or *exercise* of Church freedom which you the other day spontaneously pointed out as now quite necessary. . . . I write just now, because in summer people think leisurely on plans for future years.”

And a year later, on 18th September

<sup>1</sup> Probably a letter in the *Daily Review* as far back as 1860 (Dec. 1) as to Free Church relation to the Universities. “All history is strewn with the wrecks of Churches who, having run well, and having been found faithful even in great emergencies, have yet not been able afterwards to adjust themselves to the new position into which they came, or to rise to the higher but unaccustomed work to which they were really called. . . . I believe that the abolition of University tests, thus strangely brought about, has been in an age like ours not a loss, but an advantage to the Universities in their highest interests. . . . In every point of view the boldest measure seems to be the safest. We have burned our ships (or rather, against our will, they were burned in the year 1843), and we have no choice but to go forward. ’Tis not too late to seek a newer world. . . . *Liberavi animam.* A. T. I.”

1874, I wrote him a third time from my holiday at Tain in the Highlands that the newly published answers of our senior Counsel, the Solicitor-General and Mr Balfour, answers made not to us but to Dr Begg,

“shew how justifiable all measures are to avoid legal collision, unless and until matters are put in a good train for a right result. I am impressed more than ever with the necessity for doing so by taking every opportunity of inviting harmless change—useful innovation—and doing it systematically; so as to have as great a basis to argue upon when your time comes as possible. Change, I mean, that will not cause secession, but when secession and litigation at last come will be of use as precedent.”

A year before this last letter Dr Candlish had died, and a month or two after it Dr Buchanan was to pass away, and the man



to whom they were all addressed<sup>1</sup> was to be the sole leader of the Free Church during at least a generation of its separate existence. I quote them because during all that subsequent time I had constant opportunities of recalling to Dr Rainy the same general policy—opportunities which I never felt free to neglect. I was during those years outside his Assembly; and he was, I knew, watching and waiting with great passive wisdom and real comprehensiveness of outlook. But it seemed to me that there were too few signs of a positive plan, or even positive policy, within that body during all that time, to assure its members on this legal aspect of its coming responsibilities.

Even when the Robertson Smith question came up in it before the year 1880 matters were in a confused and indeed paradoxical

<sup>1</sup>They were among those selected for preservation by Dr Rainy before his final visit to Australia in 1906.

way. The brilliant Aberdeen professor posed, honestly enough, as a champion of orthodoxy ; he demanded to be judged by the Westminster Confession, and insisted that his new critical positions as to Old Testament Scripture were within its limit. The general voice of his Church, uttered by men like Sir Henry Moncreiff, still spoke the other way. So far as I could understand the matter, looking at it from the layman's view of unscholarly ignorance, I could agree with neither party. As against Smith, I believed, and believe still, that the Westminster Confession condemned him. But as against his fellow-Churchmen generally, I believed that on points like these, which had emerged after the Confession was framed, and could not well be in the view of its framers, an ancient and unrevised Confession had no longer moral authority. Rainy probably held nearly

the same view ; at all events, he had made up his mind that it would be most unfortunate if the new views were condemned judicially. But what, in such a case, is the duty of a Church ? I remember saying to the Principal, as the crisis of the matter was approaching, " Is this not a *casus improvisus* in the constitution or standard of the Free Church ? Why not treat it as such ? Why not put the Confession into commission ? " His answer was slow but final, " It would take ten years." And while I thought silently that ten years could not be better bestowed, I knew that he was thinking how easily ideal remedies are suggested by those who, in Church or State, relieve themselves from responsibilities of office.<sup>1</sup>

<sup>1</sup> At a still later stage, when Sir H. Moncreiff and Dr Rainy coalesced, and proposed, instead of trying whether the again aggressive professor was outside the Church's old standard, to remove him summarily as having lost

Before ten years more had passed, Rainy became Moderator (the first post-Disruption minister to hold that office) of the Free Church Assembly; and meeting him as he entered in his cocked hat one day, I was struck with the boyish eagerness with which he hurried me into his private room. "I am thinking," he said, "of giving my concluding address to the question of Church Union." "Presbyterian Union?" I asked. "No," he said, "I would go wider"; and in answer to an inquiring look, "Well, for example, I would include the Baptists." He would include them, that is, if they would consent to include him; and as to the difference of practice or ritual, he would gladly allow Churches in big towns to choose their own form—and what would be a graver matter—their the Church's present "confidence," I at last took my side as a layman and wrote three pamphlets (of no value except as a protest against the proposed course).



own time of administration. But at this point came in some persons of importance ; and on the Valedictory day I brought one or two friends from the Parliament House, like myself not members of Assembly, to hear such a speaker on such a theme.<sup>1</sup> They were not disappointed, but I was ; for the exigencies of the time had, after all, turned his thoughts to Presbyterian reunion, and that again to the question whether his treating of it then would help on the practical result, and “almost at the last moment I have changed my mind”—and the discourse flowed on very nobly but to other and more general aspects of the theme.

A year after Dr Rainy's first Moderator-

<sup>1</sup> In 1908, when walking one forenoon under fragrant pines from a Highland church with Dr Maclaren of Manchester, I mentioned to him this project of his old school-fellow for a union of Presbyterians and Baptists. Dr Maclaren smote his hands together, and broke out, “Sir, there is no reason why it should not take place next week !” But there may be some Baptists more *crustacean* than Dr Maclaren—perhaps some Presbyterians.

ship he paid a visit to Australia. In 1888, before he went there, a curious incident occurred. My objections to subscription being not to the substance of the greater doctrines of the Confession, but to some of the views (like that of civil intolerance) contained in it, and to the immoral neglect during three hundred years to revise and perhaps shorten it, I had made a rule not to trouble younger men gratuitously with my private scruples. That did not prevent some of them (*e.g.* Henry Drummond before he became a licentiate) from consulting me. And in the course of this year I had a visit from a brilliant theological student, who has since amply fulfilled his early promise. He was in a rather desperate state of mind about the subscription demanded from him, and announced to me his intention to rise on the floor of the coming Assembly (of which, of course,

he was not yet a member) and claim from it the redress he could not elsewhere obtain. I told him I thought he would be morally justified in taking such a sensational step, but that the scandal which it would produce might retard rather than advance his cause—a cause which seemed to me more hopeful than he believed. If, I added, the thing were laid at once before men like Dr Walter Smith, Professor A. B. Bruce, Professor Lindsay, Professor James Candlish, Dr Marcus Dods, and Dr Ross Taylor, the whole question could be raised in the Presbyteries in regular form, and my small contribution as an outsider would be given without delay. I fulfilled this undertaking in a paper published in the autumn of 1888.<sup>1</sup>

<sup>1</sup> "Creed Revision in the Free Church," by A. Taylor Innes. (*The Theological Review and Free Church College Quarterly*, Edinburgh, November 1888). Re-reading this paper, I see that it starts with quoting from Principal Rainy fifteen years before that "it might be desirable to secure" the Church's overhauling "any part of the

But before that date the proposed movement was well begun. The chief caucus on the subject which I remember was one held in the house of Dr Walter Smith, then still in Edinburgh. It is strange to think that any scheme initiated by so many dis-

Confession supposed to require revision," and to do so, not as anything singular, but "as something belonging to her ordinary and recognised responsibilities." But I add immediately, "that is what should have been done fifteen years ago. That is what was not done, or even practically proposed." And the argument is carried on afterwards under the two practical heads that (1) all the forms of Creed revision "ought to be brought before the Presbyteries in the ordinary constitutional way," and that (2) "there ought to be no delay, and no haste and no intermission henceforth in this recognised duty of the Church." I may refer to a still earlier paper in which, on 6th May 1887, I had urged this under my own name in the *British Weekly*. Dealing with the subject of "Revision of Creed or of Subscription," it asserts that "The Free Church, distinguished in its earlier time for *san* and initiative, has of late changed its character, and for years past has been lying like a log in the trough of the wave. Not to its own loss alone," and it ends, "If nothing is done on this subject, the Free Church will in all probability now enter upon a period of explosion and counter explosion, for which those who have done nothing will, as far as human judgment can discern, be directly responsible. In such responsibility even a layman and an outsider may desire not to share.



tinguished men as I have enumerated should have seemed beforehand almost hopeless. That was, of course, an evidence of Rainy's undisputed supremacy; but at the same time of his isolation. None of these men was really intimate with him (though some of them admired him prodigiously); and the distance between them had been increased by the recent Robertson Smith experiences. I was probably on more confidential terms with him than any of them; and while my intimacy enabled me at once to agree with the view that it was hopeless to go to him direct, it enabled me to anticipate that a combined and resolute movement outside while he was abroad, would force his hand in the somewhat unusual sense of supplying a new fact, and so altering the case upon which, on his return from Australia, he would set himself honestly to decide. It all happened nearly

according to this forecast. The earlier steps were taken, with a queer feeling of uneasiness almost as of mice while the cat was away. But at the Assembly of 1889 (the only one for many years at which Rainy was not present) the movement towards a Declaratory Act was greatly encouraged by the election of Dr Marcus Dods of Glasgow to the vacant New Testament Chair in the Edinburgh New College. He was proposed by Dr Ross Taylor, the youngest of the men above named, in a most rousing speech. Dr Rainy on his return at once recognised that the horizon was changed, and became himself chairman, along with Dr Adam, of a Committee which examined into all the forms of Creed Revision, and reported in favour of a Declaratory Act which dates from 1892, and has practically cut down the Confession of his Church from that of Westminster to the “sub-

stance of the Reformed Faith" contained within it. There were a good many secessions in the Highlands—more, probably, than would have happened had these changes been prepared for by Rainy himself in his comprehensively cautious way. But the future was now open; and upon Dr Adam's death shortly after, Dr Ross Taylor became very soon what he remained until Dr Rainy's own death, the latter's coadjutor and lieutenant in all matters ecclesiastical.

One result of the Declaratory Act of 1892, and one which I had not thought of when taking a part with others in forcing it on, was my becoming a member of the Free Church Assembly. On the occasion of a change of pastorate in Free St George's, Edinburgh, I was elected an elder, as I had frequently been before. But by this time there was a general movement in

favour of re-opening negotiations between the two leading Churches outside Establishment. I retained my old view that if this were to take the form of their incorporation, it would be attended with great legal risks ; and it occurred to me that if such a question arose I might be of some use as a member of the Church, or perhaps in its Law Committee. Accordingly I now accepted eldership.<sup>1</sup>

My knowledge of the new Union proposals between the same two Churches was derived chiefly from Dr Ross Taylor, now an old friend as well as kinsman. He and Dr Wells, also of Glasgow, old associ-

<sup>1</sup> The Free Church "Declaratory Act," as a hurried and hand-to-mouth measure, was not even now satisfactory. In particular, it left the Formula of Subscription unchanged, to be eked out by a mental reservation founded on the Act, but on the part of the subscriber. I declined this ; and when the Formula was tendered subscribed (irregularly, no doubt), expressly "under the Declaratory Act." Fortunately, all that was changed in 1900.



ates in Edinburgh University, were now united in this movement. But it was a movement for union generally, and in the first instance merely for co-operation ; and as my view always was that co-operation should never have been intermitted, and might have been carried to great lengths, I was heartily in sympathy with it. It was a different question when the United Presbyterian Synod of 1896 came to the resolution — unanimous, too, which Synod resolutions frequently were not — that everything pointed to incorporating union as “alone adequate.” Henceforth the matter of legal risks was for both Churches, but it did not come to the front at once. Dr Rainy had been taken aback by the decision of the other Church ; all the more as he and most other Free Churchmen now held the view that “when union was attempted a second time, the attempt must

at all costs be carried through.” He undoubtedly went into the matter slowly and reluctantly ; and in the course of the year I ascertained once more in private that he was not disposed to regard with favour either my old idea of “interlocking” the Churches at first instead of incorporating them, or the suggestion that now was the time to inquire into the legal risks of the latter course. For several years about that date I was in bad health, and in March 1897, on my way to a foreign watering place, I sat down and wrote Dr Rainy a final letter, urging the risks to property—to all at least outside the Trust Deed. For the first time apparently he communicated on the subject with the Church’s law adviser, Mr Guthrie (now Lord Guthrie), who arranged <sup>1</sup> to take my letter and have an informal talk upon it with Mr Blair

<sup>1</sup> Rainy’s *Life*, ii., 213.

Balfour, then our Dean and afterwards Lord President. On my return from Nauheim, almost the first man I met was Rainy on his way from the New College. He told me instantly that Balfour had startled both lawyer and Churchman, when the former read him my letter, by telling him that he thought there was a chance of the Church losing not only the property outside the Model Trust Deed, but that which I always believed that deed would protect (if pleaded). I felt I had no longer any individual responsibility in the matter ; but two months later Dr Rainy's speech at the United Presbyterian Jubilee showed that he " was committed to go on," and a month later the Assembly also resolved to do so.

I was a member of the large Joint-Committee now appointed to deal with " the practical questions connected with incor-

porative union ” during the ensuing year. But its proceedings were private, and the matter of risk to property was not mentioned in it, even by implication, till we came to prepare a report and recommendations for the Synod and Assembly of 1898. What was proposed in it was that they should in the following May send down incorporating union for the approval or disapproval of Presbyteries. Believing that such a public step would be almost irreversible I rose in a crowded meeting of that Two Hundred Committee held in Glasgow,<sup>1</sup> and asked that the legal difficulties should be first looked into. Principal Rainy was in the Chair, and replied that of course the legal difficulties would have to be looked into farther on, but that he desired not to complicate the question of principle before

<sup>1</sup> This was after my letter to Rainy shown to Mr Balfour, not before it, as I think I inadvertently said to Dr Carnegie Simpson when giving him the necessary information on these matters.



the Church with what was in a sense extraneous. I was by no means satisfied, but all the rest, clerics and lawyers of both Churches, seemed to be so ; and I could not claim that there was any risk which I had not published thirty years before.

The question of principle was accordingly sent down to be decided in 1898, and in spring 1899 I pointed out in the Free Church Committee that there was abundance of time to get an answer from counsel, on the question of property, before the Church Courts met in May, and that there would be time to compare with it the answers which would come in from the Presbyteries on the other and independent question of principle. It was agreed (not without difficulty) to ask an opinion from the new Dean of Faculty, Mr Asher. I was present with other members of the Committee at the Consultation, and observed that while the Dean's opinion was distinct as to the

danger which would result to the Church's general property in the event of union, he was not asked and said nothing as to the property under the Trust Deed, which was apparently assumed to be safe. In like manner, while he held that establishment was an original tenet or principle of the Free Church, he was not asked, and gave no opinion, as to a power in that Church to change its tenets or principles—a plea which I had always thought of the greatest importance, and of which so much use was made afterwards by both counsel in the Court of Appeal. The whole consultation, too, was “conversational,” Principal Rainy naturally putting the questions to be answered.

When it was agreed to recommend the Assembly to go on, there had been no legal opinion given, and none even proposed, but that of the Dean of Faculty. After that recommendation, however, it was proposed

and agreed to ask one from Mr Haldane, and later on from Mr Balfour. Mr Haldane's, given a few days before the Assembly and after the Synod, was highly favourable. Mr Balfour's, given later in the summer, was not favourable on the point of the original tenets of the Free Church, but it raised hopefully the important point of that body having the right to modify those tenets.

I had no intention of repeating publicly in the Assembly (of which I was now a member) the isolated opposition to immediate incorporation which in Committee I had thought it right persistently to maintain. I believed in union as an absolute Church duty, and regretted that all those years a stronger legal foundation for a safe incorporating union had not been built up.

It must be remembered, too, that Dr Rainy hoped to the last that the dissentients, now very few in number, might be persuaded to

remain in the union ; and that the Scottish judges turned out to be, after all, wholly with him on the legal point, and were only overruled by a majority of the Court of Appeal. In any case the legal risk was, in my view, a matter more appropriate for the law and other Committees of the Church than for the floor of the Assembly, where I avoided what could now only strengthen the opposing litigation which I thought probable.

The Union was consummated in October 1900, to the deep satisfaction of those who had waited for it so long. But two months later the anticipated lawsuit was begun. A year later I was busy with a new edition of my book on *The Law of Creeds*. Both editions contained the difficulties which I had felt equally in 1873 and in 1899. But the new edition gave more prominence to Church legislative power as a possible solution. It had been published about two years when



the new Church case, decided by all the Scottish judges in favour of the Union, came by appeal before the House of Lords, Mr Asher and Mr Haldane being the leading counsel. They were twice heard, in December 1903 and June 1904, Lord Shand having died in the interval, when a new hearing was ordered. (I throw into a note some particulars as to two judges whose legal attitude was peculiar).<sup>1</sup>

<sup>1</sup> Lord Young's judgment, like all in this case from the Scottish Bench, was in favour of the Free Church right to unite, and was powerful, but on peculiar grounds. The day after it was delivered I happened to be in the Second Division when he signed to me from his chair to come out and see him. The moment I entered the retiring-room he flung at me the question, "Well, was my judgment good law?" "I think, my Lord," I answered frankly, "it possibly *ought* to be the law of Scotland, and perhaps one day will be, but in the meantime I don't know." "But," he persisted, "does our law not hold a Free Church free to change its view?" "Down to Lord Eldon's case in 1830, and two or three following," I answered, "I think it did. Since then, there is certainly a question, though perhaps only as to the burden of proof." "Ah, well," he said, swinging himself back into Court, "I shall look into those cases again before revising my opinion." When the opinion came out, however, it was quite un-

When the report of the first day of the first hearing reached Edinburgh, it was clear that the head of the Appeal Court (never passive or sluggish on the Bench, though now octogenarian) was taking a very hostile view, and Dr Rainy telephoned to me to meet him.

altered—very wisely; for alteration, to be effective, would have required to be a re-cast on a larger scale.

Lord Shand had been one of the judges of the other or First Division in the case following on the Cameronian union with the Free Church in 1876—the only important ecclesiastical case in which I had been engaged as counsel. His opinion in it (contrasted in that respect with Inglis) seemed to lean to a general right of freedom in Churches to amend the confession of their faith. And a few days after that judgment, Lord Shand, unrobing one afternoon a little earlier than usual, walked round and found me in the great Hall of the old Parliament House, where for half an hour we had a most interesting talk upon the general problem. His own view seemed to be as sweeping as that afterwards expressed by Lord Young—not unlike, I may add, the argument of Mr Haldane in 1904 before the House of which he is now a member and ornament. He seemed disappointed that I was disposed to lay stress on the certainty that Scottish Churches, even if free to revise their old Confessions, would desire to retain “fundamentals,” and that most of them would be content if law acknowledged this right. He urged powerfully that “what are fundamentals” was eminently a question for the Church, and one on which one generation of that Church should not bind another; and I conceded that there was

I found him in the Senate Hall of the New College in a state of some agitation, having, I think, for the first time apprehended the risk. He was disposed to think, too, that Mr Asher pleaded the case dangerously high in putting it upon the power of the free Church to change, rather than upon the other plea

no right the faithful in Scotland would hold more sacred, and therefore more proper for the Churches' own conscience. All this, with his closing words, "Well, I would go farther than you," made me look forward with interest to the line which might be taken in the House of Lords by Lord Shand. (We had been class-fellows too at College, and he had a prize from Professor Aytoun for "Recitation" the same year I had one for "Poetry"). This hope was sadly frustrated; but from a most interesting letter received in 1907 from the late Lady Shand I gathered that he had written a most careful draft of a possible judgment just before his last illness. Of course he might have afterwards altered or even reversed it; and his death, which deprives it of all authority, made it inexpedient to publish anything about it at the time, and may prevent its ever being published as a whole. I have no knowledge what it contained, nor (except as stated above) what it was likely to contain. But plainly it may, like Lord Young's opinion, have gone in legal theory beyond the view of the Lords who actually decided the case—decided it on the ground of burden of proof, but (subject to that burden) gave free Churches the apparently unlimited freedom expressed in the Rubric to be quoted in the text.



that it had not changed at all. Dr Rainy and I had always taken different views on that matter ; and while pointing out that both pleas were stated in our " Case," and would no doubt have full justice done to them, I confessed that I thought Asher had at last taken the right line, the one which, in a less satisfactory form, had already prevailed with the Court of Session, and the one which might perhaps still pull us through. Long before one hour's talk was over, the Principal had regained his usual stately composure, and, so far as I saw, never lost it during the trying year that followed. But he had now taken in the full dimensions of the crisis, and as we stepped out from the New College quadrangle to the Mound, he turned to me with the words, " Well, I hope this is to be the last big strain of my life."

In a letter of 1899 I had suggested negotiations with our dissenting minority, and this



feeling was increased by an ambiguous resolution passed by the Free Church Assembly just before the Union with a view to conciliate the minority leaders. I gave expression to this feeling on the very day of union when the Assembly resolved itself into a private Committee of the whole House, and in private occasionally afterwards. But, now that the full danger from the Court of Appeal appeared, I came to think (partly on grounds of law hinted at in one or two places of my recent second edition) that we should at once offer to accept the alternative "conclusion" of the hostile action—viz., that the minority should have their numerically proportional share instead of our whole property. When I proposed this in our small Law Committee in spring 1904 it was unanimously rejected; and when I tabled my motion thereafter in the large Law Committee I found no seconder. Still, the views expressed by many others

present, especially by Mr Guthrie, were so near mine, that Dr Rainy proposed an adjournment; and on our meeting again (while the Assembly was sitting) he announced that he had come to think that an offer should be made, but that it should be a slump sum of £50,000. That offer was rejected; and I have always thought that the other or numerically proportional form of offer (to be tendered by our counsel at the Bar of the House of Lords) had advantages in legal principle, in Presbyterian principle, in obviousness of equity, and in the chance of its being accepted.

I may mention that on the rehearing of the case being ordered, Dr Rainy asked me to put in writing for him my criticisms on the previous or December pleadings. I did so, but the only thing I seriously objected to was an apparent intention of throwing over or not pleading the separate case for the

property under the Model Trust Deed, which seemed to me to be the strongest part of our whole argument and to help the rest immensely. I handed him my jottings during the Assembly. He sat down and read them in the corridor, and saying that he "agreed with every word of it," took them away and got them typewritten and sent to the proper quarter before the second hearing. Mr Asher, however, still declined to plead the other case sent to him by our Law Committee—on what ground I have never known.

During this second hearing of the House of Lords case, and again at the delivery of the judgment, I was in London. Apart from the importance of the case to Scotland, the argument covered the whole ground which my book had dealt with as far back as 1867. Some of the judges, like Lord Davey, brought it in with the papers in the case day by day ; and the Chancellor and others noticed it in

their opinions. Immediately after they were delivered Principal Rainy left for Edinburgh, but I remained in London for a week, and only arrived in time for a crowded meeting of Joint Committees held in Edinburgh the day before the decisive Commission of Assembly. I found the minds of most men intensely occupied with the ruinous results of the judgment, and with the means of attaining legislative redress for the blunder (in justice if not in law). But the last few days had turned my thoughts to what was also of immediate importance—the general constitutional law laid down in the opinions for non-established Churches in Scotland, and our own future position under it. That general law was summarised later on in the House of Lords Report of the case (Appeal Cases, 1904, p. 515) in the following Rubric :

“ The bond of union of a Christian association may contain a power in some recognised



body to control, alter, or modify the tenets or principles at one time professed by the association ; but the existence of such a power must be proved."

The House of Lords, applying this principle to the facts in Scotland, found that the bond of union of the Free Church did not contain this power, or at least that it had not been proved to contain it, and that it was not distinctly claimed.<sup>1</sup> Most people found this a surprising statement with regard to the Church of 1843 ; and I now pointed out that if even that Church had not made its claim clear, it was necessary that the United Free Church should do so, and should do it without delay. I suggested accordingly that the Commission should on the following day appoint a Committee to look into the matter. Action, I pointed out, was more necessary because a

<sup>1</sup> See " After Seventy Years," in *British Weekly* of 25th May 191

circular, in other respects excellent, which had been read from most of the United Free Church pulpits on the previous Sunday had rather suggested that the judgment, though it took away our property in the present, would leave us and other Churches safe for the future.<sup>1</sup> The great meeting of Commission next day, however, did not, as I had suggested, appoint a Committee on the subject. But it did better. It passed resolutions, drafted and moved by Principal Rainy, claiming the "power" desiderated by the House of Lords as the right not only of the Church of Christ and of all its branches, but of the United Free Church in the past, the present, and the future. The form of the judgment of the House of Lords (which, though moved by the Chancellor, was, I have reason to think, drafted by Lord

<sup>1</sup> Dr Ross Taylor, rising after I spoke, mentioned that for the reason I had given he had omitted this paragraph in reading the circular to his own congregation.

Robertson) had suggested to the Free Church majority to secede from the Union and retain their property. But the solemn and scornful rejection of such an idea on that historic day had an immense effect in England as well as Scotland, and far beyond both. On the very day on which the news appeared in the *Times*, Lord Davey, one of the most eminent of the judges, wrote me to Braemar making suggestions (which he afterwards allowed me to publish) for the equitable division of the property, by legislation ; the Archbishop of Canterbury, on almost the same day, offered his services in the same matter as arbitrator ; and a national demonstration was at once started in Scotland in favour of legislative redress which carried that redress unanimously within a year through both Houses of Parliament.<sup>1</sup> But

<sup>1</sup> Immediately after the judgment of August, I was asked to contribute notices of it both to the (Scottish) *Juridical Review* and to the (London) *Journal of Com-*

at such an exciting time precautions for the future are apt to be overlooked, and it was not till 7th November that on my motion a Committee was appointed to consider and report to the United Free Law Committee "whether the recent judgment makes it desirable to have any more explicit claim of Church freedom inserted in the constitutional documents of the United Free Church." I

*parative Legislation.* But a fuller and more adequate treatment appeared in the *Hibbert Journal* for January 1905, as to which Lord Macnaghten was good enough to write me, "I could have wished that we had your argument before us at the hearing of the case." These things may have been of some use in smoothing the way, remedially or constructively, with lawyers, the only popular contribution of mine which found any favour during this year of redress was a speech at Tain reported in the *Scotsman* of 23rd August 1904. The speech did not omit the suggestion that we should state our principle more explicitly; but it is chiefly "a lawyer's lament" that any judgment should "hurl itself through the land like a tornado, unroofing manses, emptying Churches, closing Colleges, giving Mission Halls to the moles and Sunday Schools to the bats; and, not content with that, should hurry abroad to smite into the dust a Christian College here and a Mission Institute there, and to quench the fire upon the hearths of a hundred lonely workers on a hundred distant shores."



was appointed Chairman, and based the original draft of what afterwards became the Assembly Act of 1906, "Anent Spiritual Independence of the Church" upon the two leading paragraphs of the Resolutions of the Commission of 10th August. When the Committee was enlarged, Dr Rainy became Chairman, and the Act owed much to him before it was passed unanimously by the Assembly of 1905, and sent down for constitutional confirmation by the Church. As it turned out, the step taken was not a day too soon ; for immediately after the Assembly the Government and Mr Balfour in the House of Commons founded on the document as a basis on which a large part of the property might now be restored to the United Free Church and a constitutional future assured to that body.

But, as usual, these later sacrifices of the United Free Church assured a future to other

bodies than itself. The second great Rubric in the House of Lords Report of the case contains, as we have seen (for the first time in the modern law of Scotland) a view of "the bond of union of a Christian association," which solves most of the difficulties imported into our jurisprudence by the decision in 1820 of an older Chancellor, Lord Eldon. And the immediate effect of these later transactions and sacrifices extended beyond the non-Established Scottish Churches. Even before the Commission appointed by Parliament to re-divide the property had done its work a Conference (no longer fettered like those proposed twenty years before) in view of Church union was generously offered to the United Free Church by members of the present Church of Scotland, and as I write, the Hundred Representatives of the latter body have unanimously recommended its

practical adoption of "the United Free Church conception of Freedom."

The strength and serenity with which Dr Rainy passed through the double crisis of 1904 and 1905, were even then the admiration of all. But all did not know, and I then knew only partially, the additional inward burdens that lay upon him. In June 1904, when we were together in the Westminster Palace Hotel during the nine days of the second "hearing" in the House of Lords, the illness to which he ultimately succumbed had become alarming. He wrote me afterwards that "the thing was occasioning anxiety then, and I saw two London specialists. They did not see evidence" that the illness was hopeless, but they left the future in that uncertainty which is sometimes more trying than the gravest prediction. Yet at that very moment, when his whole ecclesiastical building too was apparently crashing around him there was

only one thing which brought on his face a shadow of apprehension or grief—and that was when I inquired for his wife's health. She was ill, and for the first time seemed to have no strength to rally ; and Rainy had always been lover more than husband, and was so to the close. All this was in the summer of 1904. Then the public blow fell. He turned and met it, and the Church rallied with him. Then his wife died, and the fatal disease returned. But in the meantime his long day's work had been done ; and, beyond his own expectations and against his own desires, it was rounded by Providence into a whole. Had he died even three years before, his place in the future would not have been what it will now be, and Scottish history would have had no landmark like 1904 to set over against that of 1843 as the two pillars of the same arch. All this was in my mind when, away in Oban during that summer of 1906, I received the



news of his illness in a most touching letter—a true *redintegratio amoris*, after the scarcely perceptible severance produced in recent years by an equally slight divergence as to public policy. And this prepared me for our last retrospective interview, on the Thursday (18th October) before that second voyage to Australia from which he was not to return. For on that afternoon he entrusted to me his whole public and Church correspondence, already put up by himself in chronological order, and stretching over the long period of fifty-five years. And the perusal and annotation of these letters not only enabled me to give his biographer a good deal of minute information, only a certain proportion of which it was possible or right to include in Dr Rainy's *Life*. It has also enabled me to pen these supplementary reminiscences of him with more accuracy in my details, and perhaps with more confidence in my

conclusions, than when attempting the same kind of thing in relation to the Scottish side of Mr Gladstone.

Both Gladstone and Rainy were, in my view, great opportunists. But the former, I think, was so chiefly because, having at all times a superabundance of energy—no doubt chiefly moral energy—to work off, he found that of the many fields of duty in which he was keenly interested, circumstances seemed at each moment to throw open to him only one, and he hurled himself into that accordingly. Rainy, like Gladstone, was born of a Conservative family ; and like Gladstone he became a great progressive leader. But, as we have seen, he remained to the last largely conservative both in temperament and on principle ; and while he was far too big a man to be bounded by mere conventions, he had a profound respect for all obstacles really existing in human life and in the order of provid-

ence. While progressive therefore during his whole public career, he progressed not by choice, but as a matter of duty, on the line of least resistance ; he saw in opportunity the beckoning finger of God ; and he never burst through opposing barriers except when he seemed clearly called upon by the necessities of men around him to act as their champion and representative. This made his life one of self-repression and largely of self-sacrifice. He had a distinct distaste for those forms of public work which attract premature gratitude or easy applause : throughout, he accepted the unrecognised tasks and chose the painful duty and loved the labouring oar. It was only gradually that this passion for selfless service became fully understood, first of course within his own Church, then within the sister Church about to become one with it, and at the close by Scotland as a whole. But long before his public career ended, all around had come to

feel that this man was probably the strongest and wisest of his time, equal alike to a lifetime of patient work and to confronting a crashing crisis, and, at the least, above hope to rise or fear to fall. For there was apparently another secret of his life than even its early coiled-up and self-centred strength. He now walked among us visibly the citizen of a higher country, and from the threshold of old age gazed out habitually on a larger world with the wondering eyes of youth.





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